



WEB COPY



W.P.Nos.21649 & 23741 of 2016 and 7125 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.21649 & 23741 of 2016 and 7125 of 2017

And

**W.M.P.Nos.18495, 20332, 35487 & 35488 of 2016
and 7721 of 2017**

The Management of
V.R.Spining Mills Pvt. Ltd.,
Rep. by its Managing Director ... Petitioner in all the W.Ps.

Vs.

1.The Presiding Officer,
Industrial Tribunal,
Chennai – 600 104. ... Respondent in W.Ps.21649
& 23741/2016

2.G.Selvaraj
3.G.Manian ... Respondents in
W.P.21649/2016

2.P.Nataraj
3.S.Arockiya Nathan
4.S.Thiyagarajan
5.K.S.Muthusonai
6.P.Haridass
7.R.Dharmaraj
8.S.Thirumalaisamy
9.K.M.Nataraj
10.K.S.Mylsamy
11.T.Palanisamy
12.G.Gunasekaran
13.T.Manoharan
14.S.Godhandapani



W.P.Nos.21649 & 23741 of 2016 and 7125 of 2017

15.M.Easwaran
W.P.23741/2016

... Respondents in

Thamizhaga Panchalai Thozhilalar Sangam (BMS)
Represented by its
General Secretary

... Respondent in W.P.7125/2017

Prayer in W.P.No.21649 of 2016:

Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari calling for the records in A.P.No.88 of 2010 dated 27.04.2016 on the file of the first respondent and quash the same.

Prayer in W.P.No.23741 of 2016:

Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari calling for the records in A.P.No.17 of 2011 dated 28.04.2016 on the file of the first respondent and quash the same.

Prayer in W.P.No.7125 of 2017:

Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorari to call for the records pertaining to I.D.No.99 of 2004 (on the file of Labour Court, Coimbatore) and quash the order dated 23.09.2016 passed by the Labour Court, Coimbatore, in Industrial Dispute No.99/2004.

For Petitioners : Mr.Surya Senthil
for M/s.Surana and Surana

For Respondents : Mr.A.Devasigamani
for R2 and R3 in W.P.21649/2016



W.P.Nos.21649 & 23741 of 2016 and 7125 of 2017

for R2 to R15 in W.P.23741/2016
for Respondent in W.P.7125/2017

WEB COPY

COMMON ORDER

W.P.No.21649 of 2016 has been filed seeking issuance of Writ of Certiorari calling for the records in A.P.No.88 of 2010 dated 27.04.2016 on the file of the first respondent and quash the same.

2.W.P.No.23741 of 2016 has been filed seeking issuance of Writ of Certiorari calling for the records in A.P.No.17 of 2011 dated 28.04.2016 on the file of the first respondent and quash the same.

3.W.P.No.7125 of 2017 has been filed seeking issuance of Writ of Certiorari to call for the records pertaining to I.D.No.99 of 2004 (on the file of Labour Court, Coimbatore) and quash the order dated 23.09.2016 passed by the Labour Court, Coimbatore, in Industrial Dispute No.99/2004.

4.Since the issue involved in these writ petitions are interrelated, they are heard together and disposed of by way of a common order.



W.P.Nos.21649 & 23741 of 2016 and 7125 of 2017

5.The case of the petitioner is that the petitioner Management dismissed the private respondents/ workmen on the ground that they

threatened the Managing cadre officials and thereafter, the petitioner filed approval petition before the Labour Court for approval of the dismissal order and the approval petitions were rejected. Hence, W.P.Nos.21649 and 23741 of 2016 were filed. The respondent union raised industrial dispute before the Labour Court challenging the closure of the petitioner Management and aggrieved by the award passed, the petitioner has filed W.P.No.7125 of 2017.

6.When the matter was taken up for hearing, the learned counsel appearing for the petitioner as well as the learned counsel appearing for the private respondents, on instructions, submitted that during the pendency of these writ petitions, the matter was settled inbetween the parties and the petitioner agreed to pay a sum of Rs.2,25,000/- to G.Selvaraj; Rs.3,25,000/- to P.Natraj; Rs.2,75,000/- to S.Arockiya Nathan; Rs.3,25,000/- to S.Thiyagarajan; Rs.3,25,000/- to K.S.Muthusonai; Rs.2,75,000/- to G.Gunasekaran; Rs.2,75,000/- to T.Manoharan; Rs.3,25,000/- to M.Eswaran as full and final settlement and the amount would be disbursed in their favour, within a period of



W.P.Nos.21649 & 23741 of 2016 and 7125 of 2017

eight weeks from the date of receipt of a copy of this order.

WEB COPY

7.Recording the aforesaid submission, the orders impugned in these writ petitions, viz., the order of the Industrial Tribunal made in A.P.Nos.88 of 2010 and 17 of 2011 respectively, dated 27.04.2016 and 28.04.2016 respectively and the order of the Labour Court, Coimbatore in I.D.No.99 of 2004 dated 23.09.2016 are set aside.

8.These writ petitions are allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

27.07.2023

pri

Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

To

1.The Presiding Officer,
Industrial Tribunal,
Chennai – 600 104.



WEB COPY



W.P.Nos.21649 & 23741 of 2016 and 7125 of 2017

M.DHANDAPANI,J.
pri

**W.P.Nos.21649 & 23741 of
2016 and 7125 of 2017
And
W.M.P.Nos.18495, 20332, 35487 &
35488 of 2016 and 7721 of 2017**



WEB COPY



W.P.Nos.21649 & 23741 of 2016 and 7125 of 2017

27.07.2023