



WEB COPY



WP.No.7559 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2023

CORAM

THE HON'BLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

W.P. No.7559 of 2013

and

M.P.No.1 of 2013

The Management of Ashok Leyland Limited,
SIPCOT Industrial Complex,
Hosur – 635 126
Krishnagiri District.

.... Petitioner

Vs

1. The Presiding Officer,
Labour Court,
Salem.

2. H.N.Sivarama Reddy

.... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India praying to issue Writ of Certiorari to call for the records connected with I.D.No.89 of 2007 on the file of the first respondent i.e., the Presiding Officer, Labour Court, Salem and to quash the Award dated 05.11.2012 made therein.

For Petitioner : Mr.S.Shivathanu Mohan

For R1 : Court

For R2 : Mr.K.V.Shanmuganathan



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ORDER

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This Writ Petition has been filed challenging the Award dated 05.11.2012 passed in I.D.No.89 of 2007 by the first respondent, thereby ordered to reinstate the petitioner with continuity of service and 40% of back wages.

2. Pending Writ Petition, the parties have settled the issue amicably between them and they have also entered into a Joint Memo of Settlement under Section 18(1) of the Industrial Disputes Act, 1947 dated 11.09.2023. Accordingly, as per the settlement, the petitioner paid a sum of Rs.8,00,000/- in favour of the second respondent as full and final settlement.

3. The workman was also present and deposed that as per the Joint Memo of Settlement under Section 18(1) of the Industrial Disputes Act, he received a sum of Rs.8,00,000/-.

4. The Joint Memo of Settlement dated 11.09.2023 shall form part and parcel of this order. It is made clear that whatever the amount paid to the second respondent attracted to spread over the principal and



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as such, the petitioner is exempted from paying the Income Tax. As per the said Joint Memo of Settlement, this Writ Petition is disposed of.

Consequently, connected miscellaneous petition is closed. No costs

12.09.2023

Index: Yes/No
Internet: Yes/No
Lpp

To

The Presiding Officer,
Labour Court,
Salem.



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G.K.ILANTHIRAIYAN,J.

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