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Writ Petition No.9031 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2023

CORAM

THE HONOURABLE DR.JUSTICE D.NAGARJUN

Writ Petition No.9031 of 2015

&

MP.No.1 of 2015 & WMP No.15883 of 2021

The Management of
M/s.Rane Brake Lining Limited,
Plot no.30, II Main Road, Industrial Estate,
Ambattur, Chennai -600 058.
rep. by Mr.T.Solaiappan
Senior Vice President.

..Petitioner

vs.

1.The Presiding Officer,
II Additional Labour Court,
Chennai.

2.G.Jayabalan

3.J.Yasotha

4.J.Sasikumar

5.J.Sathish Kumar

... Respondents

(R3 to 5 were impleaded as per the order of this Court dated 06.11.2023 by DNRJ)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari to call for the records and quash the award dated 02.02.2015 in ID.No.294 of 2007 on the file of the first respondent/II Additional Labour Court, Chennai.



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For Petitioner : Mr.S.Ravi for M/s.Gupta & Ravi
For Respondents : Mr.RMD.Nazarullah for R2

ORDER

This writ petition has been filed seeking for issuance of a Writ of Certiorari to call for the records pertaining to the award dated 02.02.2015 passed in I.D.No.294 of 2007 on the file of the first respondent/II Additional Labour Court, Chennai and quash the same.

2. The second respondent herein has filed ID.No.294 of 2007 challenging the order of dismissal and the same was allowed on 02.02.2015, setting aside the dismissal of the second respondent and a direction was given to the petitioner management to pay all the monetary benefits payable to the second respondent herein and during the pendency of the said I.D.No.294 of 2007, the second respondent attained the age of superannuation. Aggrieved by the said order, the petitioner Management has preferred the present Writ petition.



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3. During the pendency of the writ petition, the second respondent had passed away. The Legal heirs of the second respondent viz., the respondents 3 to 5 were brought on record in WMP No.15883 of 2021. Today, the respondents 3 to 5 are present before this Court. The learned counsel, who represented the second respondent has identified them as the Legal heirs of the deceased second respondent.

4. It is submitted by the learned counsel for the petitioner as well as the learned counsel who is representing the second respondent that the dispute between the parties has been settled amicably by entering into a memo of compromise duly signed by the petitioner and respondents nos.3 to 5 along with their respective counsel. Therefore, the learned counsel for the parties would pray this Court to dispose of the matter in terms of the compromise.

5. The memo of compromise dated 18.10.2023 duly signed by the parties along with their respective counsel, has been produced before this Court. As per the terms of compromise dated 18.10.2023, the respondents 3



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to 5 have received a sum of Rs.8,50,500/- in full and final settlement of all the claims including reinstatement/reemployment terminal benefits, gratuity and all other benefits that were payable to the deceased employee/2nd respondent herein. A copy of the receipt has also been enclosed along with the Memorandum of Compromise to show that an amount of Rs.8,50,500/- has been received by the respondents 3 to 5 who are the legal heirs of the deceased employee/2nd respondent.

6. In view of the above, this Writ Petition is disposed of in terms of the Memo of Compromise dated 18.10.2023 entered into between the parties. The said memo of compromise and receipt shall form part of this order. No costs. Consequently, connected MPs are closed.

06.11.2023

Index : Yes/No
Speaking order: Yes/No
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To
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1.The Presiding Officer,
II Additional Labour Court,
Chennai.



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Dr.D. NAGARJUN, J

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