



W.P. Nos.41224 to 41228 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.08.2023

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. Nos.41224 to 41228 of 2016

and

W.M.P. Nos.3588, 35187 to 35196 of 2016

and

W.M.P. Nos.22153, 22156 to 22159 of 2020

W.P. No.41224 of 2016:-

The Managing Director
M/s.Inkor Autotech India (P) Ltd.
S.Nos. 71/2B, 3B, 4B
NH-4, Chennai-Bangalore Highway
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Petitioner

-VS-

1. The Presiding Officer
II Additional Labour Court
Chennai-600104.

2. M.Siva

3. The Managing Director
M/s.Hyundai Motor India Ltd.
Plot No.H-1, SIPCOT Industrial Park
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the entire records



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culminated in the first respondent impugned order dated 22.07.2016 made in I.D.No.155 of 2008 and quash the same.

W.P. No.41225 of 2016:-

The Managing Director
M/s.Inkor Autotech India (P) Ltd.
S.Nos. 71/2B, 3B, 4B
NH-4, Chennai-Bangalore Highway
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Petitioner

-VS-

1. The Presiding Officer
II Additional Labour Court
Chennai-600104.

2. K.N.Ravi

3. The Managing Director
M/s.Hyundai Motor India Ltd.
Plot No.H-1, SIPCOT Industrial Park
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the entire records culminated in the first respondent impugned order dated 22.07.2016 made in I.D.No.156 of 2008 and quash the same.

W.P. No.41226 of 2016:-

The Managing Director
M/s.Inkor Autotech India (P) Ltd.



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S.Nos. 71/2B, 3B, 4B
NH-4, Chennai-Bangalore Highway
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Petitioner

-VS-

1. The Presiding Officer
II Additional Labour Court
Chennai-600104.

2. M.A.Basha

3. The Managing Director
M/s.Hyundai Motor India Ltd.
Plot No.H-1, SIPCOT Industrial Park
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the entire records culminated in the first respondent impugned order dated 22.07.2016 made in I.D.No.158 of 2008 and quash the same.

W.P. No.41227 of 2016:-

The Managing Director
M/s.Inkor Autotech India (P) Ltd.
S.Nos. 71/2B, 3B, 4B
NH-4, Chennai-Bangalore Highway
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Petitioner

-VS-

1. The Presiding Officer



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II Additional Labour Court
Chennai-600104.

2. V.Babu

3. The Managing Director
M/s.Hyundai Motor India Ltd.
Plot No.H-1, SIPCOT Industrial Park
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the entire records culminated in the first respondent impugned order dated 22.07.2016 made in I.D.No.159 of 2008 and quash the same.

W.P. No.41228 of 2016:-

The Managing Director
M/s.Inkor Autotech India (P) Ltd.
S.Nos. 71/2B, 3B, 4B
NH-4, Chennai-Bangalore Highway
Irrungattukottai
Sriperumbudur Taluk
Kancheepuram District.

... Petitioner

-VS-

1. The Presiding Officer
II Additional Labour Court
Chennai-600104.

2. K.Kuppusamy

3. The Managing Director
M/s.Hyundai Motor India Ltd.
Plot No.H-1, SIPCOT Industrial Park
Irrungattukottai



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Sriperumbudur Taluk
Kancheepuram District.

... Respondents

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Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari, calling for the entire records culminated in the first respondent impugned order dated 22.07.2016 made in I.D.No.340 of 2009 and quash the same.

For Petitioners : Mr.S.Manoharan
(In all Wps)

For Respondents : R1-Court (In all Wps)
Mr.AR.L.Sundaresan, Senior Counsel
for Mr.R.Jayaprakash (R3) (In all Wps)
Mrs.G.P.Arivuchuder
for M/s.Law Square (R2)

COMMON ORDER

Since the issue involved in all the cases are one and the same, the same are disposed of by way of this common order.

2. Challenging the impugned order dated 22.07.2016 on the file of the first respondent, the Petitioner Management has filed these batch of writ petitions.

3. It is the case of the petitioner that the second respondent and some other workmen were engaged during 2002/2004 through the sub-contractor.



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Subsequently, the said workmen were terminated from service on completion of contractor. The second respondent approached the conciliation office and the said was ended in failure. The second respondent raised Industrial Disputes before the first respondent and the same was disposed of and directed the petitioner to pay 50% of the back wages and reinstatement. Challenging the said orders, the present writ petitions have been filed.

4. The learned counsel for the third respondent, on instructions, submitted that the third respondent is agreed to pay a sum of Rs.3,00,000/- to the second respondent in all the writ petitions.

5. The learned counsel for the second respondent submitted that the second respondent/workmen are ready to receive a sum of Rs.3,00,000/- from the third respondent and this Court may issue a direction to the third respondent to pay such amount as full quit to the respective workmen within the stipulated time as fixed by this Court.

6. Heard the learned counsel on either side and perused the materials available on record.



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WEB COPY 7. Considering the facts and circumstances of the case and in view of the consent view expressed by the parties, this Court passes the following order:

"This Court directs the third respondent to pay a sum of Rs.3,00,000/- (Rupees Three Lakhs only) to each workmen/second respondent as full quit within a period of four weeks from the date of receipt of a copy of this order."

The present arrangement is not applicable to the other cases and the same shall be decided in the manner known to law.

8. With the above directions, all the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are also closed.

08.08.2023

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Index: Yes/No

NCS : Yes/No

To

1. The Presiding Officer
II Additional Labour Court
Chennai-600104.



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2. The Managing Director
M/s.Hyundai Motor India Ltd.
Plot No.H-1, SIPCOT Industrial Park
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M.DHANDAPANI, J.

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