



W.P.No.20588 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.06.2023

CORAM

THE HONOURABLE MR.JUSTICE **V.LAKSHMINARAYANAN**

W.P.No.20588 of 2014

D.Bulganin

... Petitioner

Vs

1. The President Officer,
Additional Labour Court,
Vellore,
Vellore District.
2. The Manager,
Nazaar Company, 'B' Tannery,
Katcheri Road,
Vaniambadi,
Vellore District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records relating to the Award dated 27.06.2011 of the first respondent passed in I.D.No.203 of 2007, quash the same and consequently direct the second respondent to reinstatement the petitioner with continuity of service, back wages and other attend benefits, Award costs.



W.P.No.20588 of 2014

For Petitioner : Mr.S.T.Varadarajulu
For R2 : Mr.C.Manohar Gupta

ORDER

The petitioner has filed this writ petition against the order dated 27.06.2011 in I.D.No.203 of 2007.

2. The specific case of the petitioner is that the petitioner joined as Helper on 01.02.1980 and was denied employment on 31.05.2003. It is submitted that immediately the petitioner approached the second respondent, however, the second respondent did not offer any explanation. Therefore, the petitioner approached the Labour Court under Section 2A(2) of the Industrial Dispute Act, 1947.

3. It is submitted that the respondent Management on notice appeared before the Labour Court and had stated that the petitioner had voluntarily left his service. Despite an intimation to resume his work, he did not come and appear for employment.

4. It is also pointed out that the entire dues were received by the petitioner which is marked as Ex.M19.



W.P.No.20588 of 2014

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5. The Labour Court on the basis of these documents came to the conclusion that the petitioner have not only voluntarily resigned from service but also received the dues payable to him by way of the said documents. Therefore, the Labour Court dismissed I.D.No.203 of 2007 on 27.06.2011.

6. I do not find any reasons to interfere with I.D.No.203 of 2007. Once the amount had been paid and settlement has been arrived, the Court need not be forced to go into the issue all over again.

7. In fact, on the settlement and payment, no dispute arises for further adjudication. Therefore, I am not inclined to interfere with the award granted by the Labour Court. Accordingly, the writ petition stands dismissed. No cost.

18.06.2023
(1/2)

Index : Yes/ No
Neutral Citation : Yes/No
Speaking/Non-speaking Order
rgm



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W.P.No.20588 of 2014

V.LAKSHMINARAYANAN, J.
rgm

To

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