



W.P.Nos.5932 and 5933 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.5932 and 5933 of 2016

D.Christopher

... Petitioner
in both W.Ps

Vs.

1. The Presiding Officer,
Principal Labour Court,
Vellore.

2. The Management of MRF Limited,
Represented by its General Manager,
Ichiputhur Village and Post,
Arakonam Taluk,
Vellore District.

... Respondents
in both W.Ps

PRAYER in W.P.No.5932 of 2016: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records of the first respondent in connection with I.A.No.3 of 2015 in I.D.No.53 of 2010 and quash the same.



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PRAYER in W.P.No.5933 of 2016: Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records of the first respondent in connection with the award in I.D.No.53 of 2010 pronounced on 28.02.2012 and quash the same.

For Petitioner
in both W.Ps : Mr.V.Prakash
Senior Counsel
for Mr.K.Sudalaikannu

For Respondents
in both W.Ps : Mr.Sanjay Mohan
for Mr.S.Ramasubramaniam& Asso.
for R2

COMMON ORDER

Since the issue raised in both the Writ Petitions is one and the same, with the consent of the learned counsel appearing for both sides, both the Writ Petitions are heard together and are disposed of by this common order.



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2. The learned Senior Counsel appearing for the petitioner submits that in both the Writ Petitions the petitioner raised a dispute before the Labour Court which was dismissed for default. He filed a restoration application and there was a delay in filing the same. Hence, for condoning the delay in filing the restoration application, he filed a condone delay application and the same was dismissed. Challenging the same, the petitioner has filed these Writ Petitions with the aforesaid prayer.

3. During the pendency of the Writ Petitions, the matter was settled amicably between the petitioner and the second respondent / Management and the second respondent / Management is ready and willing to pay a sum of Rs.8,00,000/- as compensation to the petitioner.

4. A Compromise Memo dated 29.09.2023 signed by both the petitioner and the second respondent / Management and their respective counsels has been filed in these Writ Petitions. The same is hereby recorded.



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5. In view of the above, these Writ Petitions are disposed of as per the terms of Compromise Memo recorded. The Compromise Memo shall form part and parcel of the order in these Writ Petitions and the second respondent / Management is directed to pay a sum of Rs.8,00,000/- (Rupees Eight Lakhs only) as full quit within a period of two weeks from the date of receipt of a copy of this order to the petitioner and not to deduct any TDS as the petitioner is not earning and the compensation now paid is only for the past service rendered by him. No costs.

29.09.2023

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

Note: Issue order copy by 03.10.2023.



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To

1. The Presiding Officer,
Principal Labour Court,
Vellore.
2. The General Manager,
The Management of MRF Limited,
Ichiputhur Village and Post,
Arakonam Taluk,
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