



WEB COPY



W.P. No.2113 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2023

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THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P. No.2113 of 2017

and

WMP.No.2077 of 2017

The Management of Computer Graphics Limited,
Rep. by its Managing Director,
No.31-A, 9 & 10, SIDCO Industrial Estate,
Chennai - 98.

Vs

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

2. Computer Graphics Limited Staff Union,
Rep. by its General Secretary,
No.31-A, 9 & 10, SIDCO Industrial Estate,
Chennai - 98.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorari to call for the entire records relating to the impugned Award of the 1st respondent made in I.D.No. 172 of 2011 dated 22.7.2016 and quash the said impugned award of the 1st respondent dated 22.7.2016.

For Petitioners : Mr.S.Suresh kumar
For Respondents : Mr. K.Sudalaikannu R2
R1- Court



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ORDER

The petition has been filed seeking to quash the impugned Award of the 1st respondent made in I.D.No. 172 of 2011, dated 22.7.2016.

2. It is the case of the petitioner that the petitioner has appointed the workman Balamurugan as Assistant Service Engineer. The petitioner company transferred the said workman to Goa for installing the machines. He went to Goa and subsequently, he has taken leave and returned to Chennai and extended his leave as he is not well. The workman did not complete his work and the machines are still lying uninstalled at Goa. The said employee was absent from 01.05.2010 without any intimation and he approached the Labour Court claiming monetary benefits. The Labour Court passed an award dated 22.07.2016 directed the petitioner to pay a sum of Rs.10,00,000/- to the workman Balamurugan. Challenging the same, the present writ petition has been filed.

3. The learned Counsel appearing on behalf of the respondent Union submitted that during pendency of the writ petition, there was an amicable settlement between the parties and the said Balamurugan has agreed to receive a sum of Rs.6,00,000/- as full quit.



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4. The learned counsel for the petitioner submitted that the petitioner Management has already paid a sum of Rs.2,50,000/- to the workman and the remaining amount will be disbursed to the petitioner within the stipulated time as fixed by this Court.

5. Heard the learned counsel for the petitioner and the learned Senior Counsel appearing on behalf of the respondents and perused the materials available on record.

6. In view of the consent view expressed by the learned counsel for either side, this Court directs the petitioner to pay a sum of Rs.3,50,000/- (Rupees Three Lakhs Fifty thousand only) as compensation to the workman Balamurugan/member of the second respondent union directly by way of demand draft within a period of six weeks from the date of receipt of a copy of this order.

7. With the above modification, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is also closed.

22.08.2023



Rli

Index: Yes/No

NCS: Yes/No

To

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



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M.DHANDAPANI, J.

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