



WEB COPY



W.P.No.8800 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2023

CORAM
THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.No.8800 of 2017

Wellknit Industries,
Rep. by HR-ADMIN Manager P.Murugesan,
No.61, 15-Velampalayam Main Road,
Anuppapalayam (P.O.), Tirupur – 641 652.

...Petitioner

Vs.

1. The Presiding Officer,
Labour Court, Coimbatore.
2. S.Easwaran (*deceased*)
3. Devi
4. Dhamodharan
5. Baranidharan

...Respondents

(R3 to R5 *suo motu* impleaded as LR's of deceased R2, vide order dated 27.09.2023 made in W.P.No.8800 of 2017)

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the 1st respondent relating to award dated 27.09.2016 passed in I.D.No.251 of 2007 on the file of Labour Court, Coimbatore and quash the same.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.V.Ajoy Khose, for R2



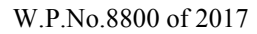
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ORDER

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The petitioner has come up with this Writ petition seeking quashment of the award dated 27.09.2016 passed by the 1st respondent in I.D.No.251 of 2007.

2. The case of the petitioner is that the petitioner industry is engaged in manufacture of garments at Tirupur for the past several year and the 2nd respondent herein joined the service of the petitioner management as a cutting master in the year 2001 on a monthly salary basis and he subsequently left the job on his own on 17.12.2005 after receiving full terminal benefits. While so, suppressing all the above said facts, the 2nd respondent raised conciliation proceedings, as if he was orally stopped from work by the petitioner management on 10.10.2006 and on failure of which, the disputes was referred to Labour Court, Coimbatore and the same was taken on file in I.D.No.251 of 2007 and the 1st respondent, without considering the scope of the Industrial dispute raised by the 2nd respondent and without considering the evidences submitted by the petitioner management, passed an award dated 27.09.2016, directing the petitioner management to re-instate the 2nd respondent with continuity of services and



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

4. Though very many grounds have been raised by the learned counsel on either side at the time of arguments, in order to arrive a quietus to the issue, this Court, directed the counsel for the management to prevail upon the petitioner management to pay a sum of Rs.75,000/- to the 2nd respondent as full quit without any further payment. Learned counsel for the workmen also fairly conceded to the same and did not raise any objection.

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Court, *suo motu*, impleads the legal heirs of the deceased 2nd respondent as party respondents to this Writ petition and the petitioner management is directed to pay a sum of Rs.75,000/- to the wife of the deceased 2nd respondent namely, Devi, within a period of four weeks from the date of receipt of a copy of this order, towards full quit of all the claims that the deceased 2nd respondent may have towards the management.

6. With the above observations and directions, this Writ Petition stands disposed of. No costs.

27.09.2023

skt

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

To

The Presiding Officer,
Labour Court, Coimbatore.

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M.DHANDAPANI., J.

skt

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