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W.P.No.2510 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.07.2023

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.2510 of 2017

And

W.M.P.Nos.2477 of 2017 and 27737 of 2018

The Management
M/s.Global Kid Leather,
Represented by its Proprietor
Mohammed Sameem

... Petitioner

Vs.

1.V.Loganathan

2.The Presiding Officer,
The 1st Additional Labour Court,
Chennai – 104.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari call for the records pertaining to the Award in I.D.No.251/2012 dated 24.11.2016 on the file of the second respondent herein and to quash the same.

For Petitioner : Mr.S.Muktha
For Respondents : Mr.J.Muthukumaran for R1
R2 – Court

O R D E R

The petitioner has filed this writ petition seeking issuance of



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Writ of Certiorari to call for the records pertaining to the award in I.D.No.251 of 2012 dated 24.11.2016 on the file of the second respondent and to quash the same.

2.The case of the petitioner is that the first respondent is a stranger to the petitioner, however, he raised industrial dispute in I.D.No.251 of 2012 before the second respondent and the second respondent passed award in favour of the first respondent directing the petitioner Management to reinstate the first respondent with continuity of service and to pay back wages and all other attendant benefits. Aggrieved by the same, the petitioner has filed this writ petition.

3.The learned counsel appearing for the petitioner as well as the learned counsel appearing for the first respondent, on instructions, submitted that the petitioner Management has decided to pay a sum of Rs.5,50,000/- as final and full settlement in favour of the first respondent workman.

4.The learned counsel appearing for the petitioner further submitted that earlier, the petitioner Management has deposited a



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sum of Rs.3,27,750/- before the second respondent on 20.02.2017 and the petitioner Management is prepared to deposit the balance amount.

5.In view of the consent view expressed by the learned counsel appearing on either side, this Court directs the petitioner Management to deposit a sum of Rs.5,50,000/- before second respondent in full and final settlement, to the first respondent. Since the petitioner has already deposited a sum of Rs.3,27,750/-, now the petitioner shall deposit a sum of Rs.2,22,250/- [Rs.5,50,000/- - Rs.3,27,750/-] to the credit of I.D.No.251 of 2012 on the file of the second respondent, within a period of four weeks from the date of receipt of a copy of this order. On such deposit being made, the first respondent is at liberty to withdraw the entire amount lying in the credit of I.D.No.251 of 2012 on the file of the second respondent.

6.The writ petition is disposed of with the above observation. No costs. Consequently, the connected miscellaneous petitions are closed.

24.07.2023

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

M.DHANDAPANI,J.
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To

1.The Presiding Officer,
The 1st Additional Labour Court,
Chennai – 104.

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