



WEB COPY



W.P.No.8047 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.8047 of 2017

K.Ravichandran

... Petitioner

Vs.

1. The Management of Hindu,
Kasturi & Son's Private Limited,
No.859, 860, Anna Salai,
Chennai – 600 002.

2. The Presiding Officer,
I Additional Labour Court,
Chennai.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned award dated 8-3-2016 made in ID No.3 of 2013 on the file of I Addl. Labour Court Chennai, the second respondent and to quash the same and direct the first respondent to reinstate me into service with all attendant benefits.

For Petitioner : Ms.V.Ananthakrushnan

For Respondents : Mr.Anand Gopalan
for M/s.T.S.Gopalan & Co
for R1



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ORDER

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This writ petition has been filed seeking for issuance of a writ of Certiorarified Mandamus to quash the impugned award dated 08.03.2016 made in ID No.3 of 2013 on the file of I Additional Labour Court Chennai, and to consequentially direct the 1st respondent to reinstate the petitioner into service with all attendant benefits.

2. It is the case of the petitioner that he was appointed as a plate maker in the first respondent company on 12.12.1988. Thereafter, he was promoted as Assistant Engineer (Printing) and was transferred to Trivandrum. Due to unauthorised absence, the petitioner was terminated from service on 14.07.2011, pursuant to the enquiry conducted by the enquiry officer. Aggrieved over the said termination order, the petitioner raised an Industrial Dispute in I.D.No.3 of 2013 on the file of I Additional Labour Court, Chennai against the 1st respondent, however, the Labour Court vide Award dated 08.03.2016 directed the first respondent management to pay a sum of Rs.2,00,000/- as compensation in lieu of reinstatement in favour of the petitioner. Challenging the same, the petitioner has come up with this writ petition.



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3. The learned counsel appearing for the petitioner and first respondent submitted that, during the pendency of this writ petition, the matter was settled between the parties and the first respondent agreed to pay a sum of Rs.7,00,000/- as compensation and also admitted that the petitioner is also entitled for balance gratuity and provident fund.

4. Heard learned counsel appearing on either side and perused the materials placed on record.

5. In view of the consent expressed by learned counsel on either side, this Court modifies the Award dated 08.03.2016 in I.D.No.3 of 2013 passed by the I Additional Labour Court, Chennai as hereunder:

(i) The 1st respondent is directed to pay the a sum of Rs.7,00,000/- (Rupees Seven Lakhs Only) as compensation to the petitioner within a period of six (6) weeks from the date of receipt of a copy of this order. It is made clear that the petitioner is entitled for balance gratuity and provident fund.



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M.DHANDAPANI, J.

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6. With the above observation and direction, this writ petition is disposed of. No costs.

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Index :Yes/No

Internet:Yes/No

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To

The Presiding Officer,
I Additional Labour Court,
Chennai.

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