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Civil Miscellaneous Appeal No.172 of 2024

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 29.07.2024**

**CORAM**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**Civil Miscellaneous Appeal No.172 of 2024**  
**and CMP No.1688 of 2024**

M/s.Touchstone Interior Solutions,  
Touchstone Ifrastructure & Solutions P Ltd  
Rep. By its Managing Director,  
No.1553, 17<sup>th</sup> Main Road,  
14<sup>th</sup> Cross Street, Anna Nagar,  
Chennai 40

... Appellant

Vs.

1. S.Selvi

2. R.Jagadesh

3. Kesavan

4. Mani

5. M/s.L&T Insurance,  
Rep. By its Manager,  
6<sup>th</sup> Floor, A Wing,  
KGN Towers, 62, Ethiraj Salai,  
Egmore (Opp to DLF Building)  
Chennai – 600 015

... Respondents



Civil Miscellaneous Appeal No.172 of 2024

Civil Miscellaneous Appeal filed against the dismissal order dated 05.10.2023 in I.A.No.22 of 2023 in W.C.C.No.36 of 2016 on the file of the Joint Commissioner of Labour I, Chennai 6.

For Appellant : Mr.S.K.Chandrakumar

For Respondents : M/s.B.Rama  
Mr.D.S.Ramesh for R1

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### **JUDGMENT**

This appeal has been filed against the order passed by the Joint Commissioner of Labour – 1, Chennai in I.A.No.22 of 2023 in W.C.C.No.36 of 2016 dated 05.10.2023.

2. When the matter came up for hearing on 14.06.2024, this Court passed the following order :-

*Heard the learned counsel for the appellant  
and the learned counsel for the respondents.*

2. *Considering the fact that the claim petition has  
been filed in the year 2016 and till date the 1<sup>st</sup> respondent  
has not seen the color of the coin and also of the fact that*



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*there is some possibility of reaching an amicable settlement, the 1<sup>st</sup> respondent in the appeal who has filed this petition will be permitted to withdraw a sum of Rs.1,00,000/- (Rupees One Lakh Only).*

*3. The representative of the appellant Company and the 1<sup>st</sup> respondent shall be present before the Mediation Centre attached to this Court on 24.06.2024 at 11.00 AM. The process of mediation shall commence immediately and shall be completed within four weeks and a report shall be filed before this Court.*

*4. This Civil Miscellaneous Petition is disposed of in the above terms.*

3. When the matter was taken up for hearing today, it was brought to the notice of this Court that the parties were able to reach a settlement and a mediation report has been sent to this Court along with the settlement agreement dated 12.07.2024.



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4. The terms of settlement arrived at between the parties are extracted hereunder :-

*The following settlement has been arrived at between the parties hereto:*

*a. First Respondent (Ms.Touchstone Interior Solutions) had offered to pay Rs.8 lakhs (Rupees Eight Lakhs only) as one time full settlement to the petitioner (S.Selvi) which the petitioner has accepted.*

*b. First respondent has already deposited an amount of Rs.2,57,026/- (Rupees Two lakhs fifty seven thousand and Twenty six only) before the Joint Commissioner, Labour. The balance amount of RS.5,42,944/- (Rupees Five Lakhs Forty two thousand Nine hundred and Forty Four only) is being paid by way of cheque No.00292 dated 12.07.2024 drawn on HDFC Bank is issued by the first respondent in favour of the petitioner (S.Selvi). The petitioner accepts receiving the same.*

*c. Petitioner (S. Selvi) agrees to take steps to withdraw*



***Rs.2,57,026/- (Rupees Two lakhs fifty seven thousand and Twenty six only) from the Joint Commissioner, Labour's office without interference to the respondents and agrees that no other claim exists or shall be made by her against the respondents and agrees for closure of the case in the above terms.***

***d. First respondent will take steps to withdraw the appeal as settled against the petitioner.***

***e. First respondent states that they are at liberty to pursue the claim against the fifth respondent (insurance company) at their option.***

5. In the light of the above developments, this appeal is disposed of by recording the settlement agreement between the parties.

The settlement agreement shall form part of this order.

6. As per the settlement, a sum of Rs.2,57,026/- is permitted to be withdrawn by the 1<sup>st</sup> respondent from the office of the Joint Commissioner. Out of this amount, already a sum of Rs.1,00,000/- has



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been withdrawn by the 1<sup>st</sup> respondent. The balance amount shall also be permitted to be withdrawn by the 1<sup>st</sup> respondent on the file of the Joint Commissioner, Labour I, Chennai 600 006. No costs. Consequently, the connected miscellaneous petition is closed.

**29.07.2024**

Speaking Judgment/Non-speaking Judgment

Index : Yes/No

Neutral citation: Yes/No

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**N.ANAND VENKATESH.,J**

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To,

Joint Commissioner of Labour I, Chennai 6.

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**29.07.2024**