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W.P.Nos.5610/2008 & 23437/2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2024

CORAM:

THE HONOURABLE MR. JUSTICE D.BHARATHA

CHAKRAVARTHY

W.P.Nos.5610/2008 & 23437/2011

and

MP.Nos.1/2008, 1/2011 & WMP.No.32509 of 2016

W.P.No.5610 of 2008

The Management of
Sundaram Brake Linings **Ltd**
(formerly Known as Sundaram Abex Limited)
Padi, Chennai 600 050
rep.by its President.

... Petitioner

Vs.

1.The Presiding Officer
First Additional Labour Court
Chennai.

2.K.Bujangan

...Respondents



W.P.Nos.5610/2008 & 23437/2011

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the first respondent in I.D.No.616 of 1995 and quash its award dated 10.08.2007.

W.P.No.23437 of 2011

K.Bujangan

... Petitioner

Vs.

1.Management of
Sundaram Abex Limited
Padi, Chennai 600 050.

2.The Presiding Officer
I Additional Labour Court
Chennai.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records connected with I.D.No.616 of 1995 dated 10.08.2007 on the file of the second respondent herein and quash the same and direct the first respondent to reinstate the petitioner in service and pay all his backwages and other attendant benefits from the date of dismissal from services.



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For Petitioners
in both W.P.Nos. : Mr.G.Anand Gopalan

For Respondents
in both W.P.Nos. : R1 – Labour Court

Mr.N.Vijayakumar for

COMMON ORDER

When the matter came up for hearing both sides learned counsel submitted that the matter has since been amicably settled, a Joint memo duly signed by both sides learned counsel is filed. As per the memo, the cheque for a sum of Rs.3,75,000/- is also handed over to the learned counsel for the Workman.

2. In view thereof, these Writ Petitions are disposed of in terms of the Joint memo. The terms of the Joint memorandum shall form part of the order. The amount of Rs.1,00,000/-, which is deposited by the petitioner management to the credit of I.D.No.616 of 1995 is said to be reinvested in fixed deposits along with the accrued interest. Upon filing of a memo along with the website uploaded copy of this order, without waiting for the certified



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copy of the order, the Labour Court shall recall the total amount which is lying to the credit that is the a sum of Rs.1,00,000/- along with accrued interest and pay the entire amount to the Workman. It is stated that the Workman is bedridden and he will not be able to physically appear before the Labour Court. Upon verification of the memo and upon the learned counsel for the workman furnishing the bank account details, the Labour Court, without insisting for the presence of the parties shall order transfer of the amount to the concerned bank account.

3. With the above observations, these Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

20.12.2024

Neutral Citation : No
dna

To

The Presiding Officer
First Additional Labour Court
Chennai.

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dna

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This matter is listed under the caption “for being mentioned”.

2. When the matter was taken up for hearing, the learned counsel appearing for the petitioner brought to the notice of this Court that there is an error in cause title and in appearance portion.

3. In the cause tile of W.P.No. 5610 of 2008, The Management of Sundaram Brake linings shall be replaced as **“The Management of Sundaram Brake linings Limited”** and appearance portion shall be corrected as follows:

“In W.P.No. 5610 of 2008

“For Petitioner : Mr.G.Anand Gopalan

For Respondents

: Labour Court – R1

Mr.N.Vijayakumar for R2



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In W.P.No. 23437 of 2011

“For Petitioner : Mr.N.Vijayakumar

For Respondents

: Mr.G.Anand Gopalan for R1

Labour Court – R2”

4. The Registry is directed to issue a fresh order copy by carrying out the above corrections.

24.01.2025

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D.BHARATHA CHAKRAVARTHY.J.,

ns1

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24.01.2025