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W.P.Nos.21205 of 2018 and 14607 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2024

CORAM :

THE HONOURABLE **DR. JUSTICE D.NAGARJUN**

**W.P.No.21205 of 2018  
and 14607 of 2019  
W.M.P.Nos.24873 of 2018  
and  
14598 of 2019**

The Management,  
Torrent Pharmaceuticals Ltd.  
No.5-E, Century Plaza,  
560-562, Anna Salai,  
Teynampet, Chennai – 600 018.  
rep. By its Vice President (HRS)

.... Petitioner

Vs.

S.Lakshmi Narayanan

...Respondent

**PRAYER in W.P.No.21205 of 2018** :Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari, calling for the records of the III Additional Labour Court, Chennai in I.D.No.153 of 2010 and quash its award dated 23.02.2018.

**PRAYER in W.P.No.14607 of 2019** : Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorari, calling for the records of the III Additional Labour Court, Chennai in I.D.No.153 of 2010 and quash its award dated 23.02.2018.



W.P.Nos.21205 of 2018 and 14607 of 2019

For petitioner : Mr.Ananda Gopalan  
for both W.Ps For AGAM Associates  
For Respondent : Mr.K.Elango  
for both W.Ps

In view of the commonalities of the facts involved, both these writ petitions are considered and decided by this Common Order.

### **COMMON ORDER**

These writ petitions are filed to quash the awards dated 23.02.2018 and 12.07.2018 passed in I.D.No.153 of 2010 and I.D.No.140 of 2011 by the III Additional Labour Court, Chennai and II Additional Labour Court, Chennai, respectively.

2. When this matter came up for hearing, the learned counsel for the petitioner as well the respondent in both the writ petitions have brought to the notice of this Court that a settlement was arrived at between the petitioner management and respondent in respect of the issue raised in these two writ petitions.

3. A copy of the joint memo filed between both the parties have



been filed before this Court stating that the Labour Court has passed two separate awards in I.D.Nos.153 of 2010 and 140 of 2011, and that both the awards are challenged in W.P.Nos.21205 of 2018 and 14607 of 2019 respectively. During the pendency of these writ petitions a settlement was arrived at between both the parties under Section 18 (1) of the I.D.Act.

4. A copy of the settlement is filed before this Court. As per paragraph G of the settlement, the petitioner management agreed to pay and the respondent agreed to accept a onetime lump sum compensation of Rs.10,00,000/- for the period between 2009 to 2017 on a clear conclusion that the amount being paid is not wages but merely compensation which is spread over for a period of 7 years is extracted in the table below:

|           |                       |
|-----------|-----------------------|
| 2010-2011 | Rs.1,25,000           |
| 2011-2012 | Rs.1,25,000           |
| 2012-2013 | Rs.1,25,000           |
| 2013-2014 | Rs.1,25,000           |
| 2014-2015 | Rs.1,50,000           |
| 2015-2016 | Rs.1,50,000           |
| 2016-2017 | Rs.2,00,000           |
|           | <b>Rs.10,00,000/-</b> |



W.P.Nos.21205 of 2018 and 14607 of 2019

5. As per paragraph I of the settlement, it is agreed by both the parties that since the compensation is spread over seven years from 2009, for the purpose of getting tax benefits, the respondent would be at liberty to seek relief under the Income Tax Act, as per the law laid down by the Apex Court in ***Sundaram Motors Pvt. Ltd. Vs. Ameerjan***, reported in ***1985 (II)LLJ 22***.

6. The workman who has received compensation for the period from 2009 to 2017 is entitled for benefits.

7. With these observations, these writ petitions are disposed of and copy of settlement under Section 18 (1) of the I.D. Act is made a part of the order on record. Connected W.M.Ps are closed. No costs.

**24.04.2024**

***vca***

***issue order copy today***

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|----------|---|--------|
| Internet | : | Yes/No |
| Index    | : | Yes/No |
| Citation | : | Yes/No |



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W.P.Nos.21205 of 2018 and 14607 of 2019

**Dr.D.NAGARJUN,J.**

**Vca**

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