



WEB COPY



W.A. No. 3566 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM

THE HON'BLE MR.JUSTICE S. VAIDYANATHAN

AND

THE HON'BLE MR. JUSTICE K. RAJASEKAR

W.A. No. 3566 of 2023

B. Baskaran

..Appellant

Vs.

The Management,
Janatha Tyre Retreading Shop,
No.3/B1, Polur Road, Arani,
Thiruvannamalai District.

..Respondent

Prayer: Writ Appeal as against the order dated 26.07.2023 passed in

W.P. No. 20131 of 2023.

For Appellant :: Mr.S.T. Varadarajulu

For Respondent :: Mr.S. Sathish Rajan for R1



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J U D G M E N T

(Delivered by **S. Vaidyanathan,J.**)

The writ appeal is directed against the order dated 26.07.2023 in W.P. No. 20131 of 2023.

2. The workman, who joined the service of the respondent Management in the year 1988, was denied employment from October, 2020. Questioning his oral termination, the workman raised an industrial dispute, which was taken up as I.D. No. 82 of 2021 by the Principal/Additional Labour Court, Vellore. The Labour Court, after analysing the materials on record, by award dated 17.04.2023 directed the Management to reinstate the workman with continuity of service, 50% backwages and other attendant benefits. Challenging the same, the respondent Management filed W.P. NO. 20131 of 2023 and this Court, by the order under challenge, allowed the writ petition by setting aside the award passed by the Labour Court. Aggrieved by the same, the workman has come forward with the writ appeal.



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3. When the matter is taken up today, both parties have filed a joint memo dated 02.01.2024 signed by the parties and countersigned by the respective counsel stating that the dispute between them has been amicably settled. It is also submitted by both parties that the amount of Rs.1,00,000/- towards full and final settlement, has been tendered and received by the workman. The contents of the joint memo read as follows:

" The appellant and the respondent above named respectfully submit as follows:

The appellant has filed the above Writ Appeal as against the order dated 26.07.2023 made in W.P. No. 20131 of 2023. The said Writ petition in W.P. No. 20131 of 2023 was filed by the respondent herein as against the award dated 17.04.2023 made in I.D. No. 82 of 2021 passed by the Learned Principal Labour Court, Vellore.

It is submitted that now during the pendency of the present Writ Appeal, the dispute between the parties have been amicably settled. As per the settlement, the respondent has paid a sum of Rs.1,00,00/- (Rupees one Lakh only) to the Appellant by way of a Demand Draft dated 30.12.2023 bearing No. 581988 drawn on Indian Overseas Bank, Gill Nagar Branch, as compensation towards full and final settlement and full quit of the award dated 17.04.2023



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made in I.D. No. 82 of 2021 passed by the Learned Principal Labour Court, Vellore, The Appellant hereby admit and acknowledge the

S. VAIDYANATHAN,J.

AND

K. RAJASEKAR,J.

nv

receipt of a sum of Rs.1,00,000/- (Rupees one Lakh only) in the above manner towards compensation as full and final settlement.

The Appellant has got no claim whatsoever as against the respondent and withdrawing the above Writ Appeal.

It is therefore, prayed that this Hon'ble Court may be pleased to record the Memo of Compromise and pass further orders and thus render justice.

4. The writ appeal stands disposed of in terms of the joint memo dated 02.01.2024 filed by both parties. No costs.

nv

(S.V.N.J.) (K.R.S.J.)
02.01.2024

To
The Management,
Janatha Tyre Retreading Shop,
No.3/B1, Polur Road, Arani,
Thiruvannamalai District.

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