



W.P.Nos.11185, 11186 & 11187 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

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THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.11185, 11186 & 11187 of 2010

and

M.P.Nos.1, 1 & 1 of 2010

W.P.No.11185 of 2010

The Management of
Gelani Skinwear Exports
1148, P.J.Nehru Road,
Vaniyambadi – 634 752,
Rep by its Partner, S.K.Saifuddin

...Petitioner

Vs.

1. The Presiding Officer,
The Principal Labour Court,
Vellore, Vellore District.

2. P.Shanmugham

...Respondents

Petition filed under Article 226 of the Constitution of India
to issue a Writ of Certiorari calling for the records of the 1st respondent in
C.P.No.712 of 2003 and quash its order dated 18.03.2010.



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For Petitioner : Mr.P.Raghunathan
for M/s.T.S.Gopalan & Co.

For R1 : Court

For R2 : Mr.S.Ravi

W.P.No.11186 of 2010

The Management of
Gelani Skinwear Exports
1148, P.J.Nehru Road,
Vaniyambadi – 634 752,
Rep by its Partner, S.K.Saifuddin

...Petitioner

Vs.

1. The Presiding Officer,
The Principal Labour Court,
Vellore, Vellore District.

2. S.Jayavel

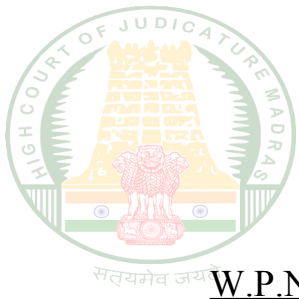
...Respondents

Petition filed under Article 226 of the Constitution of India
to issue a Writ of Certiorari calling for the records of the 1st respondent in
C.P.No.713 of 2003 and quash its order dated 18.03.2010.

For Petitioner : Mr.P.Raghunathan
for M/s.T.S.Gopalan & Co.

For R1 : Court

For R2 : Mr.S.Ravi



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W.P.No.11187 of 2010

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The Management of
Gelani Skinwear Exports
1148, P.J.Nehru Road,
Vaniyambadi – 634 752,
Rep by its Partner, S.K.Saifuddin

...Petitioner

Vs.

1. The Presiding Officer,
The Principal Labour Court,
Vellore, Vellore District.

2. M.Kuppan

...Respondents

Petition filed under Article 226 of the Constitution of India
to issue a Writ of Certiorari calling for the records of the 1st respondent in
C.P.No.714 of 2003 and quash its order dated 18.03.2010.

For Petitioner : Mr.P.Raghunathan
for M/s.T.S.Gopalan & Co.

For R1 : Court

For R2 : Mr.S.Ravi

COMMON ORDER

Since the issue involved in the present writ petitions are one and
the same they are disposed of by way of this common order.



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WEB COPY 2. It is the case of the petitioner management that the respective second respondent / workman in respective writ petitions have filed respective computation petitions u/s.33 C(2) of the Industrial Disputes Act, 1947 (in short 'the Act') claiming computation of monetary benefits. However, subsequently the workmen and the management have entered settlement u/s. 12(3) of the Act. However, contrary to the said settlement entered into between the parties and having obtained the wages as per the settlement, the respective workmen filed a petition u/s.33 2(B) of the Act, which is *per se* unsustainable. Subsequently, during the pendency of these writ petitions, orders of interim stay was granted on 27.05.2010 with a direction to the petitioner to pay a sum of Rs.50,000/- and Rs.75,000/- respectively in favour of the respective workmen. Challenging the said interim orders, appeals were filed by the management, however, the same was dismissed vide common order dated 25.08.2010 while extending the time to pay the above prescribed amount as awarded by this Court.

3. The learned counsel for the petitioner / management submitted that during the pendency of the above writ petitions, the management has



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paid a sum of Rs.50,000/- in favour of one Shanmugam / second respondent in W.P.No.11185 of 2010, Rs.75,000/- in favour of one Kuppan / second respondent in W.P.No.11187 of 2010 and Rs.75,000/- in favour of one Jayavel / second respondent in W.P.No.11186 of 2010 by way of Demand drafts in DD Nos.769949, 769950 & 769951 respectively. However, if the said amounts were not realised by the respective workmen, it is open to the respective second respondents to revalidate the abovesaid demand drafts in their favour. It is made clear that except the amount drawn by way of demand drafts, the management shall not pay any amount in excess in favour of the workmen.

4. With the above observation and directions, these writ petitions are closed. No costs. Consequently, connected miscellaneous petitions are closed.

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Speaking Order : Yes/ No
Index : Yes/ No
NCC : Yes/ No



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To
The Presiding Officer,
The Principal Labour Court,
Vellore, Vellore District.



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M.DHANDAPANI., J.

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