



W.P.Nos.26331 of 2004 and 10458 of 2005

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.Nos.26331 of 2004 and 10458 of 2005

The Management Axles India Limited,
Represented by its Vice President,
(Operation), Singaperumal Koil Street,
Sriperumbudur – 602 105. ...Petitioner in W.P.No.26331 of 2004

General Secretary,
Axles (India) Workers' Union.
(Regd.No.CPT/952)
3, Kambar Street, Gandhi Nagar,
Sriperumbudur – 602 105. ...Petitioner in W.P.No.10458 of 2005
Versus

1. The Presiding Officer,
Industrial Tribunal,
Madras – 600 104.
2. General Secretary,
Axles (India) Workers' Union.
3, Kambar Theru, Gandhi Nagar,
Sriperumbudur,
Pin : 602 105. ...Respondents in W.P.No.26331 of 2004

1. The Presiding Officer,
Industrial Tribunal, Tamil Nadu,
High Court Compound,
Chennai – 600 104.



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2. The Management of Axles (India) Limited,
Singaperuperumal Koil Road,
Sriperumbudur – 602 105. ...Respondents in W.P.No.10458 of 2005

Prayer in 26331 of 2004: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari to call for the records on the file of the first respondent herein viz., The Presiding Officer, The Industrial Tribunal, Madras, in I.D.No.33 of 2001 and quash the award passed therein dated 03.06.2004.

Prayer in 10458 of 2005: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari calling for all the records and papers from the files of the 1st respondent in I.D.No.33 of 2001 and quash the impugned award made therein dated 03.06.2004 insofar as the 1st respondent has denied 25% of the back wages to the 10 workmen concerned in I.D.No.33 of 2001.

In W.P.No.26331 of 2004

For Petitioner : Mr.Anand Gopalan for M/s.Agam Legal
For Respondents : Mr.K.M.Ramesh for M/s.S.Apunu, Senior
counsel for R2
Court – R1

In W.P.No.10458 of 2005

For Petitioner : Mr.K.M.Ramesh for M/s.S.Apunu, Senior
For Respondents : Mr.Anand Gopalan for M/s.Agam Legal
for R2
Court – R1



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COMMON ORDER

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

2. For the sake of convenience, the petitioner in W.P.No.26331 of 2004 is referred to as 'Management' and the petitioner in W.P.No.10458 of 2005 is referred to as 'Workmen'.

3. Aggrieved over the order passed by the Labour Court holding that the partial lock out, declared by the management in respect of 16 workmen, is illegal and ordered for reinstatement with 75% back-wages, the above writ petitions have been filed by the management and workmen respectively. Out of 16 workmen, 6 workmen have already settled the dispute and the matter in dispute is with regard to the 10 workmen alone.

4. The learned counsel appearing for the petitioner in respective writ petitions submitted that the matter was amicably settled between the parties and that the management is ready to pay 50% back-wages for the period of lock out and the same is also not disputed by the learned counsel



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for the workmen.

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5. Heard both sides.

6. In view of the fair submission made by the learned counsel appearing for the management and the workmen, this Court modifies the impugned order passed by the Labour Court in I.D.No.33 of 2001 by directing the petitioner in W.P.No.26331 of 2004 / Management to pay 50% back-wages to the respective workmen for the period of lock out within a period of eight (8) weeks from the date of receipt of a copy of this order.

7. With the above directions and observation, these writ petition are disposed of. No costs.

12.02.2025

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No
RAP



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To

1. The Presiding Officer,
Industrial Tribunal,
Madras – 600 104.
2. General Secretary,
Axles (India) Workers' Union.
- 3, Kambar Theru, Gandhi Nagar,
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3. The Management of Axles (India) Limited,
Singaperuperumal Koil Road,
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M.DHANDAPANI, J.

RAP

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