



W.P.No.17778 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.17778 of 2010

and

M.P.No.1 of 2010

The Management of Axles India Limited,
Singaperuperumal Koil Road,
Sriperumbudur – 602 105.

...Petitioner

Versus

1. The Presiding Officer,
Principal Labour Court,
Chennai.

2. Workers

Represented by Axles India
Workers Union,
(Regd CPT/952) No.3, Kamber Street,
Gandhi Nagar, Sriperumbudur,
Pin Code – 602 105.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India seeking issuance of Writ of Certiorari calling for the records on the file of the first respondent herein viz., the Presiding Officer, Principal Labour Chennai and to quash the Award passed therein in I.D.No.351 of 2002 dated 31.12.2009 which was exhibited by the office of the Assistant Labour Commissioner, Sriperumbudur dated 28.05.2010 and which was received by us on 08.06.2010.



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

ORDER

This Petition has been filed under Article 226 of the Constitution of India seeking to quash the Award passed therein in I.D.No.351 of 2002 dated 31.12.2009 passed by the Presiding Officer, Principal Labour Chennai.

2. Being aggrieved over the dismissal of service of one G.Vijayakumar and one K.Krishnan from the petitioner management, the workmen raised an Industrial Dispute in I.D.No.351 of 2002 before the Labour Court. Upon appreciating the oral and documentary evidence, the Labour Court by its award dated 31.12.2003 directed reinstatement of the above said workmen with backwages, continuity of service and all other attendant benefits. Challenging the same the petitioner management has come up with this writ petition.

3. The learned counsel for the petitioner management submits that in respect of one Krishnan, the settlement has already been arrived at between the parties. Insofar as the workmen one G.Vijayakumar is



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concerned, the petitioner management has already deposited the backwages amount for a sum of Rs.8,83,030.38 in I.D.No.351 of 2002 as per the order dated 21.01.2011 passed by the Court, a sum of Rs.48,939.60/- has been paid towards last drawn monthly wages for the period from August 2010 to January 2011, a sum of Rs.5,13,865.80/- has been paid towards the last drawn monthly wages for the period from February 2011 to April 2017 and a sum of Rs.1,15,133.55/- has been paid towards the last drawn wages from May 2018 to July 2018. Apart from that the petitioner management is ready to pay the gratuity amount of Rs.68,471.00/- along with the interest from the date of retirement to till date and in addition to that they are also ready to pay the interest accrued on the back-wages deposited before the Labour Court towards the period from 2011 to 2019 at the rate of 6% per annum within the time frame that may be stipulated by this Court.

4. The learned counsel for the second respondent has no objection for the said order being passed.



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5. Heard the learned counsel for the petitioner and the learned counsel for the petitioner and the learned counsel for the second respondent.

6. In view of the fair submission made by the learned counsel for the petitioner, this Court directs the petitioner management to pay the gratuity amount of Rs.68,471.00/- if not already paid along with the interest from the date of retirement to till date and shall also pay the interest to the tune of Rs.4,23,854.58/- accrued on Rs.8,83,030.38/- towards the period from 2011 to 2019 to the second respondent within a period of eight (8) weeks from the date of receipt of a copy of this order. The second respondent is permitted to withdraw the entire backwages which was deposited before the lower Court along with gratuity amount including the interest if any.

7. With the above direction and observation, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Index : Yes/No
NCC : Yes/No



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M.DHANDAPANI, J.

RAP

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