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W.P.No.3254 of 2009

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.02.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.3254 of 2009

The Management of
Express Publications (Madurai) Limited,
Express Estates,
Anna Salai,
Chennai.

... Petitioner

Vs.

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

2.The General Secretary
Express Group of Employees Welfare Union

3.V.Ravi
(R3 impleaded as per order
dated 23.10.2024 in WMP.19640/2022
in WP.3254/2009 by RNMJ)

4.R.Lakshmi
5.S.Kalavathy
6.S.Divya

(R4 to R6 are substituted as LRs of
deceased R.Suriya Narayanan,
(WMP.19643/2022 in WP.3254/2009
impleaded petition already dismissed
as abated) as per order dated
30.10.2024 in WMP.35629/2024 in
WP.3254/2009 by RNMJ)

... Respondents



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Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records of the first respondent and quash the award dated 23.05.2008 in I.D.No.420 of 1999.

For Petitioner : Ms.R.Jayashree

For Respondents : R2 – Died (steps taken)
Mr.N.G.R.Prasad for R3 to R6
for Mr.R.Rajaraman

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari, calling for the records of the first respondent and quash the award dated 23.05.2008 in I.D.No.420 of 1999.

2.It is represented by the learned counsel appearing for the petitioner that the matter was settled before the Mediation Centre. The terms of settlement as per the Memorandum of Settlement enclosed along with the Mediation Report dated 17.02.2025 reads as follows:

"1.The Transfer order dated 15/03/1997 passed by the Management is fully valid legally and factually and binding on the employee.



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2.The legal heirs of Suriyanarayanan further states that they have no claims from 15/03/1997 whatsoever against the management from whether in respect of the action taken whether for the punishment (or approval petitions whether pending or not which are all accepted) Transfer or otherwise whether monetarily or otherwise.

3.However, the Management in response to the request from the legal heirs of Suriyanarayanan has agreed to pay sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) (not as any compensation but in-order to give a quietus to the whole issue) as ex gratia payment in humanitarian grounds by way of Cheques drawn on Indian Overseas Bank, Ambattur Industrial Estate Branch, Chennai as detailed below:-

*1.Cheque No.539939 dated 12/02/2025 for Rs.5,00,000 (Rupees Five Lakhs Only) in favour of **R.Laksmi**, mother of Suriyanarayanan.*

*ii.Cheque No.539940 dated 12/02/2025 for Rs.5,00,000 (Rupees Five Lakhs Only) in favour of **S.Kalavathy**, wife of*



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Suriyanarayanan.

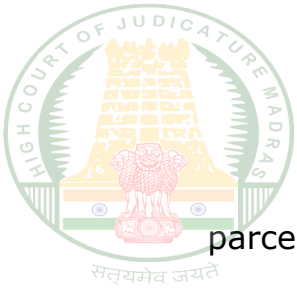
*ii. Cheque No.539941 dated 12/02/2025 for Rs.5,00,000 (Rupees Five Lakhs Only) in favour of **S.Divya**, Daughter of Suriyanarayanan*

in full and final settlement of his rights, entitlement and claims against the management. The legal heirs of Suriyanarayanan affirm that there is no other monetary or any other claims whatsoever whether under any approval application, (pending or otherwise) labour statutes or otherwise including Gratuity.

4. The parties desire that this settlement is final and neither party shall be allowed to resile from it in any manner whatsoever. Both parties have no claims against each other pursuant to this Settlement.

5. The parties request this Hon'ble court to take this 18(1) settlement on file of this Hon'ble Court and pass orders disposing of the Writ in terms of the settlement."

3. The Mediation Report dated 17.02.2025 shall form part and



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parcel of this order. The writ petition is closed in terms of the
Mediation Report. No costs.

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

To

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



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M.DHANDAPANI,J.
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