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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2025

CORAM

THE HONOURABLE MR JUSTICE M.DHANDAPANI

WP No. 20812 of 2013

and

M.P.No.1 of 2013

1. The Managing Director,
Chemfab Alkalis Ltd., Gnanananda
Place, Kalapet, Puducherry-605104.

Petitioner(s)

Vs

1. Mr. D.Alwin Maria Susai,
S/o.A.Dhanaraj, No.2, 7th Cross Street,
Sakthi Nagar, Saram, Puducherry-
605103.

2.The Presiding Officer,
Labour Court, Puducherry.

Respondent(s)

PRAYER

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records connected with the award dated 18.01.2013 made in ID No.22 of 2007 on the file of the 2nd Respondent, Labour Court, Puducherry and quash the same.



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For Petitioner(s): Mr. S.Sai Prasad For M/s. Sai
Raaj Associates

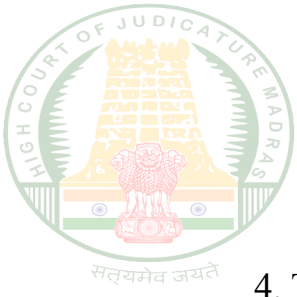
For Respondent(s): R1- No Appearance
R2 - Court

ORDER

Aggrieved by the award passed by the second respondent Labour Court in I.D.No.22 of 2007 dated 18.01.2013, directing reinstatement of the first respondent into service, the present writ petition has been filed.

2. Alleging that the first respondent was indulged in misbehaviour with the superior officers, charges were framed against him which resulted in domestic enquiry and ultimately, dismissal of second respondent from service.

3. It is also alleged that the second respondent had made false complaint, joining hands with the certain other workmen, to various statutory authorities like Pollution Control Board, Ground Water Authority etc., making false and malicious allegations against the petitioner. The petitioner on its part, had preferred a Criminal defamation proceedings and it also instituted a suit against the first respondent.



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4. The Labour Court on an analysis of the entire materials placed before it had set aside the order of dismissal from service and directed the petitioner to reinstate the first respondent into service. However, backwages was denied. Challenging the same, the present writ petition has been filed by the management.

5. When the matter was taken up for hearing learned counsel for the petitioner submitted that the petitioner is not inclined to proceed with the Criminal defamation proceedings lodged against the first respondent ; so also the suit filed.

6. The petitioner, given the nature of disputes between the parties, is not inclined to take back the first respondent into service on the other hand, the petitioner made an offer at Rs.5 lakhs as full quit to the first respondent.

7. Considering the above, this Court is of the view that interest of justice



would be sub-served if the petitioner is directed to pay Rs.5,00,000/- to the first respondent in full quit.

8. In the result the writ petition is disposed of with the following directions.

(i) The petitioner is directed to withdraw both the criminal defamation proceedings which was taken on the file in C.C.No.86 of 2007 and also the suit filed against the first respondent pending in O.S.No.173 of 2006.

(ii) The petitioner is directed to pay a sum of Rs.5,00,000/- (Rupees Lakhs Only) to the first respondent.

(iii) The said sum is granted as full quit and the first respondent will not be entitled for any other benefits. No costs. Consequently, connected miscellaneous petition is closed.

02-04-2025

RAP

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

The Presiding Officer,
Labour Court, Puducherry.



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M.DHANDAPANI J.

RAP

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