



W.P.No.7495 of 2005

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.7495 of 2005

and

W.M.P. No. 8184 of 2005 & 18295 of 2006

The Management of Jardine Hendersen Ltd.,
No.91 & 92, Kodambakkam High Road,
Nungambakkam,
Chennai- 600 034

... Petitioner

Vs.

1. The Presiding Officer
I Addl. Labour Court
High Court Compound
Chennai 600 104.

2. D. Jayakumar
3. E. Srinivasan
4. J.Ramani
5. Elumalai
6. J.D.Rajasekaran
7. G.Jagannathan

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari calling for the records from the file of the 1st respondent made in I.D.Nos. 660 and 662 to 666 of 1995 on the files of the 1st respondent herein and quash the impugned common award dt. 14.10.2004 made in I.D.Nos.660 and 662 to 666 of 1995 and pass orders.



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For Petitioner : Mr.Thiagarajan
For Respondents : Court – R1
Mr. K.V.Dhanapalan
for M/s.T.Fenn Walter
Associates for R2 -R7

ORDER

This Writ Petition has been filed by the petitioner to set aside the order passed in I.D.Nos. 660 and 662 to 666 of 1995 on the file of the 1st respondent herein.

2. When the matter is taken up for hearing today, learned counsel appearing for the parties submitted that, during the pendency of the above writ petition, the parties have arrived at a compromise and to that effect the joint memorandum of compromise between the petitioner / management and the Workmen dated 20.03.2025 has been filed before this Court, which has been signed by the management and the Workmen and also by the learned counsel for the parties.

3. The said joint memorandum of compromise dated 20.03.2025 entered between the parties is extracted herein:



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IN THE HIGH COURT OF JUDICATURE OF MADRAS
(SPECIAL ORIGINAL JURISDICTION)

W.P.NO. 7495 OF 2005

The Management of Jardine Handerson Ltd,
Madras 86

...Petitioner

-Vs-

The 1st Additional Labour court,
Chennai and 6 others.

...Respondents

JOINT MEMO

It is humbly submitted that the above said Writ Petition is filed by the management against the common award passed by the Labour court dated 14.10.2004 in I.D.NO.660, 662 TO 666 OF 1995 Whereby the Labour court has ordered for reinstatement with backwages.

Pending Writ petition on negotiation both the parties decided to settle the issue amicably and arrived a compensation towards full and final settlement on the following terms.

It was agreed upon by the management to settle the Gratuity for the service rendered by the workman till the age of Superannuation/ Death and to pay the said benefits at the rate of Rs.15,000/- per month as last drawn wages as found in the annexure.

It was also agreed upon by the management to pay the compensation / back wages at the rate of 15% apart any payment made as on date as found in the



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annexure towards full and final settlement in lieu of reinstatement and other attendant benefits

It was also agreed upon by the management to pay the Lumpsum amount of Rs.1,33,000/- to all the workman as Exgratia payment.

At pending Writ Petition the workman namely D. Jayakumar (I.D.NO.660 of 1995) Died on 12.04.2019 leaving behind the legal heirs

1. Rajalakshmi (Wife)
2. Anandakumar (Son)
3. Muthumari (Daughter)

and M.Elumalai (I.D.NO.664 of 1995) died on 20.09.2018 leaving behind the legal heirs

1. Alamelu (Wife)
2. Umarani (Daughter)
3. Manikandan (Son)
4. Amutha (Daughter)

Hence it was also agreed upon to pay the dues to the Legal heir's of deceased workman on production of required documents i.e. Death Certificate, Legal Certificate and No objection Certificate for payment etc.,

The workman and their Legal heir has also agreed to receive the above amount found in the annexure towards full and final settlement and whatsoever the workman is not having any claim from the management.

The above said settlement is full and final settlement including all statutory dues and any claims from the management.



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ANNEXURE

1) JAGANATHAN. I.D.No.666/95

1987- 2016 = 29 years service

Gratuity = 2,51,000/-

Backwages = 2,65,500/-

Exgratia = 1,33,000/-

Total Amount = **6, 49,500/-**

2) RAJASEKARAN..I.D.No.665/95

1987-2025 = 38 years of service

Gratuity = 3,29,000/-

Backwages = 2,54,000/-

Exgratia = 1,33,000/-

Total Amount = **7,16,000**

3) SRINIVASAN.I.D.No.666/95

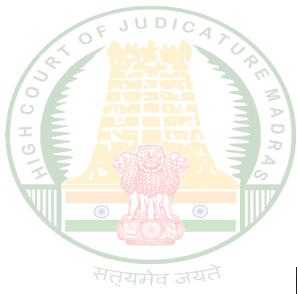
1984-2025 =41 years

Gratuity = 3,55,000/-

Backwages = 1,63,000/-

Exgratia = 1,33,000/-

Total Amount = **6,51,000**



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- 4) EZLUMALAI.I.D.No.664/95
DIED ON. 20.09.2018

1980-2007 =27 years

Gratuity	=	2,34,000/-
Backwages	=	90,000/-
Exgratia	=	1,33,000/-

Total Amount	=	4,57,000
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- 5) JAYAKUMAR. I.D.No.660/95

DIED ON. 12.04.2019

1984-2016 = 32 years

Gratuity	=	2,77,000/-
Backwages	=	2,20,500/-
Exgratia	=	1,33,000/-

Total Amount	=	6,30,500
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- 6) RAMANI.I.D.No.663/95

1979-1999 =20 years of service

Gratuity	=	1,73,000/-
Backwages	=	87,000/-
Exgratia	=	1,33,000/-

Total Amount	=	3,93,000
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JAGANATHAN. I.D.No.666/95	=	6,49,500/-
RAJASEKARAN..I.D.No.665/95	=	7,16,000
SRINIVASAN.I.D.No.662/95	=	6,51,000
EZLUMALAI.I.D.No.664/95	=	4,57,000
JAYAKUMAR. I.D.No.660/95	=	6,30,500
RAMANI.I.D.No.663/95	=	3,93,000
		<u>34,97,000</u>

Dated at Chennai on this the 20th day of March 2025

COUNSEL FOR PETITIONER

COUNSEL FOR RESPONDENTS-2-7

WORKMEN

1. JAGANATHAN.
2. RAJASEKARAN.
3. SRINIVASAN.

MANAGEMENT REP.BY.ITS

For JARDINE HENDERSON LTD.,

Authorized Signatory



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4. EZLUMALAI (Deceased).

a) Alamelu (Wife)

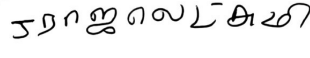
(LTI OF ALAMELU)

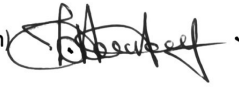
b) Umarani (Daughter)

c) Manikandan (Son) 

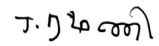
d) Amutha (Daughter)

5. JAYAKUMAR (Deceased).

a) Rajalakshmi (Wife) 

b) Anandakumar (Son) 

c) Muthumari (Daughter) 



6) RAMANI.

4. Accordingly, this Writ Petition is disposed of in terms of the joint memorandum of compromise dated 20.03.2025 and the same shall form part and parcel of the records. The petitioner is directed to comply



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with the joint memo of compromise within a period of four (4) weeks

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from the date of receipt of a copy of this order. No Costs. Consequently,

the connected writ miscellaneous petitions are closed.

20.03.2025

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation Case : Yes/No

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To

The Presiding Officer
I Addl. Labour Court
High Court Compound
Chennai 600 104.



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M.DHANDAPANI, J.

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