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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

CORAM :

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.13572 of 2025

A.Balaji

...Petitioner

Vs.

Sri Akamma Textiles,  
Rep. by its Partner,  
Valparai Road, Rangasamuthiram,  
Pollachi – 642 006.

...Respondent

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records in CP.No.40/2023 on the file of the Additional Labour Court, Coimbatore and quash the same consequentially direct the respondent to pay the balance amount of Rs.1,99,761/-.

For Petitioner : Mr.C.Deivasigamani



## **ORDER**

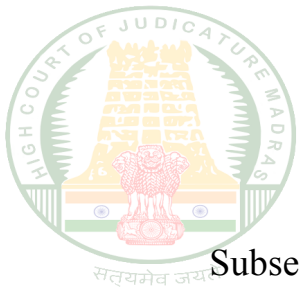
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The petitioner has filed this Writ petition seeking quashment of the order made in C.P.No.40 of 2023 on the file of the Additional Labour Court, Coimbatore and to consequently direct the respondent to pay the balance amount of Rs.1,99,761/-.

2. Since no adverse order is being passed against the respondent, notice to the respondent is dispensed with.

3. The brief facts which are necessary for disposal of this Writ petition are as follows:

The petitioner joined the services of the respondent management as a Fitter on 01.01.2007. While so, during the Covid-19 pandemic, all of a sudden, the services of the petitioner was terminated by the respondent on 01.06.2020. Thereby, the petitioner preferred a petition before the Assistant Labour Commissioner, Coimbatore and a settlement was reached under Section 12(3) of the Industrial Disputes Act on 11.12.2020 and accordingly, the respondent paid a sum of Rs.4,00,000/- in favour of the petitioner and the same was also received by the petitioner.



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Subsequently, the petitioner filed the present computation petition in C.P.No.40 of 2023 claiming a sum of Rs.1,99,761/-, since the amounts under various heads like Festival and National holiday wages, Earned leave wages, overtime wages, wafe arrears as well as Bonus apart from House Rent Allowance (in short 'HRA') were not paid in favour of the petitioner. The respondent filed a counter before the Labour Court contending that having agreed to receive a sum of Rs.4,00,000/- as one time settlement, the petitioner was not entitled to seek further amount. The Labour Court, analysing the facts and materials before it, rejected the computation petition filed by the petitioner, vide impugned order dated 12.09.2024. Challenging the same, the petitioner has come up with this Writ petition.

4. This Court gave its careful consideration to the submissions advanced by the learned counsel for the petitioner and perused the materials available on record.

5. The major contention of the learned counsel for the petitioner was that HRA was not included in the 12(3) settlement. However,



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pay.

according to the respondent company, HRA was included in the main

6. As rightly noted by the Labour Court, the petitioner has not convincingly argued as to why the issue of HRA was not raised before the Conciliation Officer. Moreover, when the respondent offered to pay a sum of Rs.4,00,000/-, the petitioner accepted it and did not ask for any breakup of the said amount. It was the petitioner who raised the dispute before the Conciliation officer. When the respondent offered to pay a sum of Rs.4,00,000/-, the petitioner ought to have been vigilant to ask for break up of the said amount and under what heads the said sum of Rs.4,00,000/- has been paid.

7. Having missed the bus, it is not open to the petitioner to rake up that issue once again and seek for enhanced amount under various heads. Hence, this Court does not find any illegality or irregularity in the order passed by the Labour Court, which is impugned in this Writ petition.



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8. Accordingly, this Writ petition stands dismissed. However, the petitioner is at liberty to workout his remedy in the manner known to law. In that event, all rights and contentions of both the parties are kept open. No costs.

**21.04.2025**

skt

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

To:

1. Sri Akamma Textiles,  
Valparai Road, Rangasamuthiram,  
Pollachi - 642 006.
2. The Additional Labour Court,  
Coimbatore.



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**M.DHANDAPANI, J.**

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