



W.P.No.14068 of 2023

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.14068 of 2023
and
W.M.P.No.13702 of 2023

The Managing Director,
M/s.Global Health Care Bill Partners Pvt. Ltd.,
Block No.70, Ritherdon Road,
Vepery, Chennai – 600 007. ... Petitioner

Vs.

M.Vinoth Kumar ... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, calling for the records relating to the order dated 23.03.2023 in O.P.No.223 of 2021 on the file of the II Additional Labour Court, Chennai and quash the same.

For Petitioner : Mr.AR.L.Sundaresan
Senior Counsel
for M/s.L.Palani Muthu

For Respondents : Mr.M.Jayaprakash



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ORDER

This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Certiorari, to call for the records relating to the order dated 23.03.2023 in O.P.No.223 of 2021 on the file of the II Additional Labour Court, Chennai.

2. The case of the petitioner/management is that, the respondent was appointed as “Senior Executive-Payment” on 04.02.2016 by the petitioner and his yearly salary was Rs.2,40,000/- p.a. and while joining the petitioner organization, the respondent has signed employment agreement and service bond dated 04.02.2016. While, the respondent was terminated from service on 29.05.2020 for the allegation that he sent inappropriate audio in GHR Team whatsapp group against the management. Thereafter, the respondent raised a dispute u/s 2A(2) of the Industrial Disputes Act, 1947, (in short 'the I.D. Act') in O.P.No.226 of 2021 before the II Additional Labour Court, Chennai and the Labour Court passed the impugned award dated 23.03.2023, setting aside the order of termination of the respondent and directed the petitioner to



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reinstate the respondent with backwages, continuity of service and other benefits. Challenging the same, the present writ petition has been filed.

3. When the matter is taken up for hearing today, learned Senior Counsel appearing for the petitioner/management, on instructions, submitted that, the petitioner/management is ready to reinstate the respondent/workman with continuity of service at their Vellore office. Hence, the learned Senior Counsel, submitted that, this Court may fix a reasonable compensation in lieu of backwages in favour of the respondent/workman and the same will be paid by the management within a reasonable time that may be fixed by this Court.

4. The respondent/workman along with his learned counsel appeared before this Court and submitted that, he is ready to join duty at Vellore office of the petitioner/management as offered by the petitioner/management and hence, this Court may fix a reasonable compensation in lieu of backwages to the respondent/workman.



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5. In view of the fair submission made by the learned counsel appearing for the parties, this Court is inclined to modify the impugned award passed by the Labour Court in the following terms :-

(i) the petitioner/management is directed to reinstate the respondent with continuity of service at their Vellore office ;

(ii) the petitioner/management is also directed to pay a sum of Rs.5,00,000/- (Rupees Five Lakhs only) as compensation in lieu of backwages to the respondent/workman, in full quit, within a period of four (4) weeks from the date of receipt of a copy of this order.

6. With the above modifications, this Writ Petition is disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

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Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
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The Presiding Officer,
II Additional Labour Court,
Chennai.



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M.DHANDAPANI, J.

sp

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