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W.P.No.17415 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.06.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.17415 of 2021
and WMP.No.18471 of 2021

The Management of Maiva Pharma Pvt. Ltd.,
Previously known as
The Management of Global Pharmatech Pvt. Ltd.,
Rep. by its Deputy General Manager
Personnel and Administration
32, SIPCOT Industrial Complex, Hosur
Krishnagiri District - 635 126.

... Petitioner

Vs

M.Achudhan

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari calling for the records connected with I.D.No.107 of 2019 on the file of the Presiding Officer, Labour Court, Hosur and to quash the Award dated 12.10.2020 made herein and to pass orders.

For Petitioner : Mr.Sanjay Mohan
for M/s.S.Ramasubramaniam and Asso.

For Respondents : Mr.A.Suresh Sakthi Murugan



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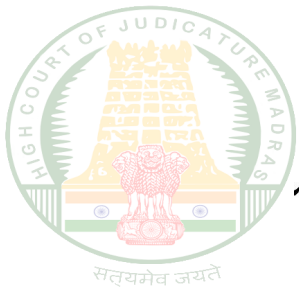


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ORDER

The petitioner-Management has filed the above writ petition challenging the order of the Labour Court, Hosur, dated 12.10.2020, in I.D.No.107 of 2019, directing the Management to reinstate the respondent-workman with continuity of service with 50% backwages from the date of termination from the services to the date of reinstatement.

2. Both the petitioner-Management and the respondent-workman had entered into a compromise and the terms of compromise have been reduced in the form of writing in the joint memorandum of compromise dated 23.06.2025, which is filed in the Court today. A scanned copy of the said memo of compromise memo is furnished below :



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IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Special Original Jurisdiction)

W.P.No. 17415 of 2021

The Management of Maiva Pharma Pvt. Ltd.
Previously known as,
The Management of Global Pharmatech Pvt. Ltd,
Rep by its Deputy General Manager,
Personnel and Administration,
32, SIPCOT Industrial Complex, Hosur,
Krishnagiri District- 635126

...Petitioner

Vs

M. Achudhan
S/o. Munusamy,
Aneri Village
RachaMangalam post,
Venkalapuram,
Thirupathur Taluk,
Vellore District

... Respondent

**JOINT MEMORANDUM OF COMPROMISE BETWEEN THE PETITIONER
AND RESPONDENT**

It is most respectfully submitted that this Joint Memorandum of Compromise is entered into between the Management of Maiva Pharma Pvt. Ltd., the Petitioner herein with Mr. M. Achudhan, the Respondent herein wherein both parties agree as follows:

1. It is respectfully submitted that the Petitioner has filed this Writ of Certiorari to call for the records connected with I.D No. 107 of 2019 and to quash the Award dt. 12.10.2020 which had directed the Petitioner Management to reinstate the Respondent with continuity of service with 50% backwages from the date of termination from service to date of reinstatement.

M. Achudhan,

For MAIVA PHARMA PVT.LTD.,

Authorised Signatory



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2. It is submitted that the Petitioner/Management and Respondent/former employee herein have agreed and entered into this joint memo of compromise out of their own free will and consent to settle all disputes /issues /claims between them.
3. It is submitted that a sum of Rs. 5,00,000/- (Rupees five Lakhs only) as ex gratia shall be paid by the Petitioner Management to Respondent employee, i.e., Mr. M. Achudhan, as a one-time full and final settlement and in full quit.
4. Mr. M. Achudhan, the Respondent shall be entitled to withdraw the sum of Rs. 1,61,146/- (One Lakh Sixty One Thousand One Hundred and Forty Six Only) lying in the deposit made by the Petitioner Management vide Order dt. 19.08.2021 made by this Honourable Court in W.M.P No. 18473 of 2021 in W.P No. 17415 of 2021 (Together with such interest as may have accrued to that deposit) and it shall be for the Respondent to take steps to effect such withdrawal and the Management shall have no objection to such withdrawal of the said money lying in deposit in I.D No. 107 of 2019 before the Labour Court, Hosur.
5. The payments referred to above in clause 3 shall be made by demand draft drawn in favour of Mr. M. Achudhan and handed over to his Advocate Mr. Suresh Shakthi Murugan in the Writ Petition, W.P No. 17415 of 2021.
6. As a result of the compromise recorded in this joint memo, Mr. M. Achudhan, the Respondent shall have no claim of any kind, monetary, statutory or otherwise, including any claim for reinstatement/employment or compensation/ "backwages" against the Petitioner Management, and this payment under this joint memo of compromise shall be in full and final settlement of all his claims in relation to I.D No. 107 of 2019 filed before the Presiding Officer, Labour Court, Hosur, & W.P. No. 39649 of 2015 in relation to his Industrial Dispute and in respect of his claims made in proceedings on the cover of No.:A1/1677/2010 dated 04.02.2011 before the Deputy Chief Inspector of Factories, Hosur and W.P. No. 4138 of 2011 which was disposed of by Hon'ble High Court by its Order dated 22.03.2019.

M. Achudhan.

For MAIVA PHARMA PVT.LTD.,

Authorised Signatory



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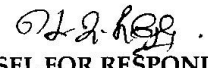
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7. It is made clear by the Respondent Mr.M.Achudhan that this payment under this Joint memorandum is in settlement of all his claims,/demands monetary, statutory or otherwise including claim for employment/reinstatement with the Management of Maiva Pharma Pvt Ltd.
8. The result of this Memorandum is that the parties have settled all issues between them, statutory/ monetary or otherwise, and the Respondent has no claim of any kind against the Management of Maiva Pharma Pvt Ltd.
9. The parties shall jointly request this Hon'ble High Court to receive and accept this Joint Memo of Compromise, and pass final orders in the above writ petition recording the terms of this memo.

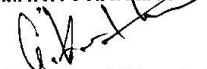
Dated at Chennai on this 23rd day of June, 2025

S.RAMASUBRAMANIAM & ASSOCIATES


PARTNER
COUNSEL FOR PETITIONER


COUNSEL FOR RESPONDENT

For MAIVA PHARMA PVT.LTD.,


Authorised Signatory
MANAGEMENT

Maiva Pharma Pvt. Ltd


Sd/- **RESPONDENT** **24/6/25**
(Mr. M. Achudhan)

D.D Received.

24/6/25



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3. The terms of compromise shall form part of the order. The petitioner-Management has also handed over a demand draft bearing No.026799 dated 23.06.2025 for a sum of Rs.5,00,000/- today to the respondent-workman and the same was received by him.

4. The above writ petition is disposed of in terms of the aforesaid joint memo of compromise. No costs. Consequently, connected miscellaneous petition is closed.

24.06.2025
(1/2)

Index : Yes / No
Neutral Citation : Yes / No
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To:

1.The Regional Director
E.S.I. - Regional Corporation (Tamil Nadu)
143, Sterling Road, Chennai - 600 034.

2.The Deputy Director
E.S.I. Corporation
143, Sterling Road
Chennai - 600 034.



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P.T. ASHA, J.

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