



W.P.No.10825 and 15628 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.10825 of 2014

and

W.M.P. Nos.3 & 4 of 2014

The Management of
Express Publications (Madurai) Limited
No-29, Express Gardens, II Main Road,
Ambattur Industrial Estate, Chennai – 58.

... Petitioner

Vs.

1.The Presiding Officer,
Principal Labour Court,
Chennai

2. The General Secretary
Madras Union of Journalist
8, Richi Street, Chennai -2.

...Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India pleased to issue a Writ of Certiorari quashing the Award of the Labour Court dated 19.03.2013 in I.D.No.597 of 1999 on the files of the Principal Labour Court, Chennai and pass orders.

For Petitioner : Mr. S.Vijayaraghavan

For Respondents : Court [R1]



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Mr. R.Rajaram[R2]

ORDER

This Writ Petition has been filed seeking for a Writ of Certiorari, quashing the Award of the Labour Court dated 19.03.2013 in I.D.No.597 of 1999 on the files of the Principal Labour Court, Chennai and pass orders.

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 settlement and to that effect the memorandum of settlement u/s.18(1) of the Industrial Disputes Act, 1947 between the petitioner / management and the respondent / union dated 05.03.2025 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 settlement dated 05.03.2025 entered between the parties is extracted herein:



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

W.P.No 10825 of 2014

The Management of Express Publications
(Madurai) Limited, Express Estates
Mount Road, Chennai – 2

... Petitioner

.Vs.

1. The Presiding officer, Principal Labour
Court, Chennai – 600 104.

2 The General Secretary,
Madras Union of Journalists,
No.8, Richi Street, Chennai-2.

Respondents

**MEMORANDUM OF SETTLEMENT UNDER SECTION 18 (1) OF THE
INDUSTRIAL DISPUTES ACT, 1947 (CENTRAL ACT XIV OF 1947)**

1. NAME OF THE PARTIES : BOOPATHI

&

**THE MANAGEMENT OF EXPRESS
PUBLICATIONS (MADURAI) LTD.,**

**2. REPRESENTING THE
MANAGEMENT**

**: Mr. SIDDHARTH SONTALIA
SENIOR GENERAL MANAGER (TN)**

3. EMPLOYEE

: G. BOOPATHI

**4. NUMBER AND BROAD DESCRIPTION : Only G.Boopathi
OF THE CATEGORIES OF
WORKMEN COVERED BY THE
SETTLEMENT**

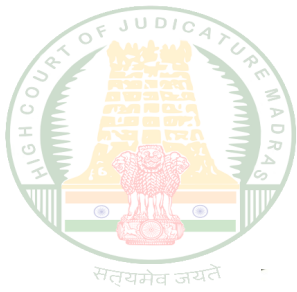
For EXPRESS PUBLICATIONS (MADURAI) PRIVATE LIMITED

Senior General Manager - TN

EXPRESS PUBLICATIONS (MADURAI) PRIVATE LIMITED

Senior General Manager - TN

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5. SHORT RECITAL OF THE CASE:-

The employee G.Boopathi was transferred from Chennai to Hyderabad vide order dated 13/12/1995. The Union challenged the transfer in ID 597 of 1999. The Principal Labour Court Chennai vide order dt. 19/03/2013 set- aside the order of transfer against which the management filed W.P. No. 10825 of 2014 before the Hon'ble Madras High Court the Present Writ petition challenging the Award passed by the Labour Court in the ID. The said Boopathi has also filed WP 15628 of 2014 challenging the very same award of the Principal labour court and the same is also pending before the Hon'ble High Court Madras.

While the matters came up for argument, the Management was approached for a settlement by the said Boopathi. The parties agreed that the Transfer Order dated 13/12/1995 issued to Boopathi to go and join work at Hyderabad is fully valid and correct and the action taken by the management against him for (being the order of discharge) not obeying the transfer Order was also legally and factually valid. However, the said Boopathi claimed that in view of his difficult financial circumstances, he should be provided with some amount as ex-gratia. The Management has sympathically considered the same and has agreed to pay a sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) by way of two Cheque for Rs.7,50,000/- each bearing Nos. 539965 & 539966 dated 25/03/2025 and 25/04/2025 drawn on Indian Overseas Bank, Ambattur Industrial Estate Branch, Chennai in full settlement of all his claims statutory or otherwise (not

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Senior General Manager - TN

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Senior General Manager - TN



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as any compensation but in-order to give a quietus to the whole issue).
The parties therefore have agreed to record this present 18(1) settlement.

NOW THEREFORE THE PRESENT 18(1) SETTLEMENT IS BEING RECORDED ON THE FOLLOWING TERMS AND CONDITIONS:-

1) The Transfer order dated 13/12/1995 passed by the Management is fully valid legally and factually and binding on Boopathi.

2) The said Boopathi further states that he has no claims from 13/12/1995 whatsoever against the management from whether in respect of the action taken whether for the punishment or discharge or approval petition (whether pending or not and which are all accepted are valid) Transfer or otherwise whether monetarily or otherwise. Equally it is agreed that from 13/12/1995 there is no employer – employee relationship between the parties.

3) However, the Management in response to the request from the said Boopathi has agreed to pay sum of Rs.15,00,000/- (Rupees Fifteen Lakhs only) (not as any compensation but in-order to give a quietus to the whole issue) as ex gratia payment on humanitarian grounds by way of two Cheque for Rs.7,50,000/- each bearing Nos. 539965 & 539966 dated 25/03/2025 and 25/04/2025 drawn on Indian Overseas Bank, Ambattur Industrial Estate Branch, Chennai in full and final settlement of his rights, entitlement and claims against the management. The Said Boopathi affirm that there is no other monetary or any other claims whatsoever whether under any approval

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Senior General Manager - TN





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application, (pending or otherwise) labour statutes or otherwise including Gratuity. The said Boopathi agrees to withdraw the Writ petition filed by him being W.P.No.15628 of 2014.

4) The parties desire that this settlement is final and neither party shall be allowed to resile from it in any manner whatsoever. Both parties have no claims against each other pursuant to this Settlement.

5) The parties request this Hon'ble court to take this 18(1) settlement on file of this Hon'ble Court and pass orders disposing of the above Writ petition in terms of the settlement.

Signed at Chennai on this the 5th day of March, 2025

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Senior General Manager - TN

Petitioner

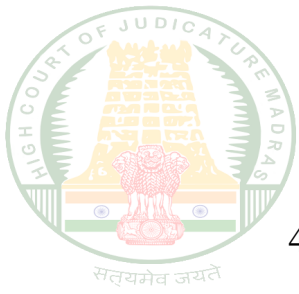
Respondent

5/3/25
Counsel for the Petitioner

05/03/25
Counsel for the Respondent

Copy to:

- 1. The Secretary to the Government of Tamilnadu Department of Labour, Fort St.George, Chennai – 9**
- 2. The Labour Officer – 2, Kuralagam, Chennai – 600 108**
- 3. The Commissioner of Labour, Teynampet, Chennai – 18**



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4. Accordingly, this Writ Petition is disposed of in terms of the settlement memo dated 05.03.2025 and the same shall form part and parcel of the records. The petitioner / Management is directed to comply with the memorandum of settlement within a period of four (4) weeks from the date of receipt of a copy of this order. The workman is permitted to withdraw the said amount from the Labour Court with accrued interests and costs. No Costs. Consequently, the connected writ miscellaneous petitions are closed.

05.03.2025

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Index : Yes / No

Speaking order / Non-speaking order

NCC:Yes/No

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To

1.The Presiding Officer,
Principal Labour Court,
Chennai

2. The General Secretary
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M.DHANDAPANI, J.

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