

W.P.No.22460 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 05.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.22460 of 2021

and

WMP.No.23699 of 2021

The Management
Precision Testing Machines Pvt. Ltd.
Doshi Towers
No.156, Poonamallee High Road,
Kilpauk
Chennai-600010

... Petitioner

Vs.

Mrs.Sarammal

...Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari, calling for the records pertaining to the award dated 30.03.2021 passed in O.P.No.146 of 2019 on the file of the III Additional Labour Court, Chennai quash the same in so far as the order of lump sum compensation of Rs.50,400/- to the respondent is concerned.



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For Petitioner : M/s.C.D.Sugumar

For Respondent : M/s.M.Ramesh Babu

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ORDER

The above Writ Petition has been filed by petitioner management challenging the award passed by the III Additional Labour Court, in OP.No.146/2019 dated 30.03.2021.

2.The facts are briefly set out hereinbelow.

3. The petitioner is based at New Delhi and the main activity of the company is that it deals with equipment including two post lift, scissor lift wheel alignment etc. The petitioner conducts its business online and occasionally deals directly with the client on a face to face basis. The office of the petitioner company at Chennai was established and started functioning from the year 2003 in a rented portion at Chamiers Road, Teynampet, Chennai. Thereafter, in the year 2005, the petitioner company had purchased an office space measuring 1110 Sq.ft. in a building situate as the above-said address and shifted to the present address.



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4. The petitioner operates through a single staff, namely, the Relationship Manager. In order to clean up the office, the services of the respondent was engaged. Apart from the petitioner's office she was also engaged by the other offices in the same building.

5. While, so, the respondent on her own volition had stopped coming for work and she had received a sum of Rs.2,400/- as full and final settlement from the petitioner. After receiving the same, she had approached the Assistant Commissioner of Labour, stating that her services has been terminated and requested to settle the dispute between the parties. The conciliation proceedings ended in a failure and a failure report dated 21.01.2019 was issued. Thereafter, the respondent had filed OP.No.146/2014 on the file of the III Additional Labour Court, Chennai seeking reinstatement with all attendant benefits. The Labour Court by its award dated 30.03.2001, while dismissing the dispute had ordered a lump sum compensation of Rs.50,400/- to the workman. The learned Judge had observed that there is no illegal termination or retrenchment and therefore the



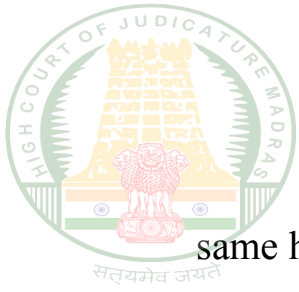
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respondent was not entitled to reinstatement with backwages and other benefits. However, considering the fact that she had worked for a period of 14 years, the learned Judge while calculating the lump sum compensation adopted the formula of three months' salary per year of service. Ultimately, the learned Judge had awarded a sum of Rs.50,400/- to the respondent. Challenging the same, the petitioner is before this Court.

6. It is informed by the learned counsel for the petitioner that the sum directed has already been deposited by the petitioner as a stay was granted on condition that the sum be deposited to the credit of the III Additional Labour Court, Chennai in OP.No.146/2019.

7. Heard the learned counsel on either side.

8. Admittedly, the respondent had worked with the petitioner management for over 14 years and her services has been terminated without notice. Though the petitioner had contended that they had paid a sum of Rs.2,400/- as full and final settlement no proof for the



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same has been filed by them. Therefore, taking into account the above the learned III Additional Labour Court Judge has computed the lump sum compensation at a sum of Rs.50,400/- by adopting the formula of three months' salary per year for a period of 14 years and I see no reason to interfere with the order passed by the III Additional Labour Court, Chennai.

9. Accordingly, the Writ Petition stands dismissed. The amount already deposited to the credit of the III Additional Labour Court, Chennai in OP.No.146/2019 shall be paid to the respondent on her making necessary applications. No costs. Consequently, the connected Miscellaneous Petition is closed.

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Index : Yes/No
Speaking Order: Yes/No
Neutral Citation : Yes/No
(shr)

To

1. The III Additional Labour Court, Chennai.



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P.T. ASHA. J.,

(shr)

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