



W.P.Nos.22851, 22854 & 23368 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.04.2025

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.Nos.22851, 22854 & 23368 of 2019

1.R.Appusamy	... Petitioner in W.P.No.22851 of 2019
2.M.Moorthy	... Petitioner in W.P.No.22854 of 2019
3.K.Boopathy	... Petitioner in W.P.No.23368 of 2019

Vs.

1.The Management, M/s.V.R.Foundries V.R. Finishers,
Door No.83/C P.K.D. Nagar,
Peelamedu,
Coimbatore – 641 004.

2.The Management,
M/s.Ranba Castings,
495/A. 496/3m, Sular Railway Feeder Road,
Muthugoundenpudur Post,
Coimbatore – 641 406. ... Respondents in all WPs

Prayer in W.P.No.22851 of 2019 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records with respect to the entire proceedings in I.D.No.73 of 2015 on the file of the Principal Labour Court, Coimbatore and quash the award dated 21.02.2019 and consequently direct the 1st respondent to provide the full service benefits, i.e. Gratuity, P.F., and other service benefits from 07.08.1979 to 06.08.2017 and back wages for the period from 14.03.2015 to 06.08.2017 with all other attendant benefits, as the petitioner attained his superannuation on 06.08.2017.



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Prayer in W.P.No.22854 of 2019 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records with respect to the entire proceedings in I.D.No.76 of 2015 on the file of the Principal Labour Court, Coimbatore and quash the award dated 21.02.2019 and consequently direct the 1st respondent to provide the full service benefits, i.e. Gratuity, P.F., and other service benefits from 01.01.1980 to 27.01.2018 and back wages for the period from 14.03.2015 to 27.01.2018 with all other attendant benefits, as the petitioner attained his superannuation on 27.01.2018.

Prayer in W.P.No.23368 of 2019 : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records with respect to the entire proceedings in I.D.No.75 of 2015 on the file of the Principal Labour Court, Coimbatore and quash the award dated 21.02.2019 and consequently direct the 1st respondent to provide the full service benefits, i.e. Gratuity, P.F., and other service benefits from 24.08.1980 to 03.05.2018 and back wages for the period from 14.03.2015 to 03.05.2018 with all other attendant benefits, as the petitioner attained his superannuation on 03.05.2018.

For Petitioner : Mr.V.Sivakumar
(in all WPs)

For Respondents : Mr.S.Ravindran
(in all WPs) Senior Counsel
Assisted by
Mr.S.Bazeer Ahamed

COMMON ORDER

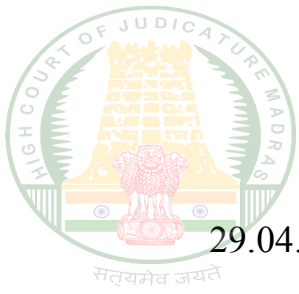
Since the issue involved in these writ petitions are one and the same, with the consent of the learned counsel appearing for the parties, these writ petitions are disposed of by way of this common order.



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WEB COPY 2. The petitioners are employed under the 1st respondent. Whileso, the 1st respondent had issued a notice transferring the petitioners herein and some other workmen to the 2nd respondent company. When the petitioners questioned the 1st respondent about the same, they were told that the 1st respondent had affixed the notice in the notice board only after consultation with the union and asked them to approach the union. Thereafter, the 1st respondent without stating any reason and prior notice had refused employment. Some of the workmen being threatened by the respondent, had submitted their resignation letters forcefully and the respondents have not paid the gratuity and provident fund to them. Therefore, the petitioners have raised the respective industrial disputes before the labour court, however, the said disputes were dismissed by the labour court vide impugned orders. Challenging the same, the present writ petitions have been filed by the petitioners/workmen.

3. When these matters are taken up for hearing today, learned Senior Counsel appearing for the respondents submitted that during the pendency of these writ petitions, the petitioners were paid with gratuity amount to the tune of Rs.3,58,910/- vide Cheque No.885049 dated



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29.04.2022, Rs.3,35,989/- vide Cheque No.885048 dated 29.04.2022 and

Rs.3,36,793/- vide cheque No.885047 dated 29.04.2022 respectively.

Apart from the said gratuity amount, the respondents are ready to pay a sum of Rs.1,00,000/- each as exgracia to the petitioners, within a reasonable time that may be fixed by this Court.

4. Learned counsel appearing for the petitioners, on instructions, submitted that the petitioners are ready to accept the offer made by the respondents-management.

5. In view of the consent view expressed by the learned counsel appearing for the parties, this Court is inclined to dispose of these writ petitions in the following terms :-

(i) the respondents are directed to pay a sum of Rs.1,00,000/- each (Rupees One Lakh only), as exgracia amount, in full quit, to the petitioners/workmen, within a period of four (4) weeks from the date of receipt of a copy of this order.



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WEB COPY 6. Accordingly, these Writ Petitions are disposed of. It is made clear that the present order passed by this Court may not be cited as precedent by the other similarly situated workmen. No costs.

01.04.2025

Index : Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
sp

To

The Principal Labour Court, Coimbatore.



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M.DHANDAPANI, J.

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