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CMA.No.3104 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 07.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CMA No.3104 of 2021 and
CMP No.17565 of 2021

The Manager,
Spectrum HR Systems and Solutions,
5/235, 3rd Main Street, Venkateswara Nagar,
Pozhichalur, Chennai 600 074.

Present Address
No.157/90, The Rise Apartments,
B.B.Road, Vyasarpadi, Chennai 600 039.

... Appellant

Vs.

1. M.Parthiban

2. Divisional Manager, DO,
The New India Ass. Co. Ltd.,
Bharathi Road, Cuddalore-1.

... Respondents

Prayer: Civil Miscellaneous Appeal filed under Section 30 of the Employees' Compensation Act, 1923 to set aside the award dated 07.08.2019 made in E.C.No.151 of 2011 on the file of the Joint Commissioner of Labour-II, Chennai and allow the civil miscellaneous appeal.



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CMA.No.3104 of 2021

For Appellant : Mr.S.Mahimai Raj
For Respondents : Ms.Ramya V.Rao for first respondent
Ms.A.Salomi for 2nd respondent

JUDGMENT

When the civil miscellaneous appeal is taken up for hearing, the learned counsel for the appellant and the first respondent/claimant, filed a joint compromise memo stating that the first respondent agreed to receive a sum of Rs.1,00,000/- (Rupees one lakh) in full quit of all his claims relating to the case on hand. It is further stated that the appellant deposited entire award amount of Rs.2,73,958/- before the Commissioner. It is also agreed that the first respondent is entitled to withdraw a sum of Rs.1,00,000/- and the appellant is entitled to withdraw the balance amount of Rs.1,73,958/-. In the memo, it is stated that since no award was passed against the second respondent and hence, the second respondent has not been made as a party to the compromise memo.



CMA.No.3104 of 2021

WEB COPY

2. The compromise memo, dated 02.04.2025 filed by the appellant and the first respondent, counter signed by the respective counsel on record is recorded.

3. (i) Accordingly, this civil miscellaneous appeal is disposed of in terms of the compromise memo, except Clause (iv) of the compromise memo. The compromise memo filed by the parties shall form part of the decree passed in this appeal.

(ii) The Clause (iv) of the compromise memo with regard to the return of the deposit certificate by the Registry is not acceptable. Therefore, the Registry is directed not to return the original deposit receipt to the appellant.

(iii) The appellant as well as the first respondent are permitted to withdraw their respective share of the award amount as agreed, within four weeks from the date of receipt of copy of this order.

(iv) There shall be no order as to costs. Connected miscellaneous petition is closed.

07.04.2025

Index:Yes/No
Internet:Yes/No
mst

Page 3 of 5



CMA.No.3104 of 2021

WEB COPY

To

1. The Joint Commissioner of Labour-II,
Chennai.
2. The Section Officer,
V.R.Section, Madras High Court.



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CMA.No.3104 of 2021

S.SOUNTHAR, J.

mst

CMA No.3104 of 2021

07.04.2025