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W.P.No.35663 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.35663 of 2019

Six Men Employees Committee
India Radiators Ltd.,

... Petitioner

Vs.

1.The Special Deputy Commissioner of Labour,
4th Floor, Labour Welfare Building,
DMS Compound,
Chennai – 600 006.

2.The Management,
India Radiators Limited.

3.India Radiators Employees Union,
Rep. by its Secretary.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records on the file of the first respondent in Na.Ka.No.Aa2/46279/2017 12(3) settlement dated 19.07.2019 and quash the same in so far as the member of the petitioner's committee and further direct the second respondent to pay all the labour dues including Provident Fund, Gratuity lay of wages, bonus, leave wages and other statutory benefits to the list of employees annexed to the schedule to the writ petition in accordance with law.

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For Petitioner : Mr.K.V.Sanjeev Kumar

For Respondents: Mr.K.Surendran for R1
Additional Government Pleader
Mr.P.Raghunathan for R2
for M/s.T.S.Gopalan & Co.
R3 – NRN

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records on the file of the first respondent in Na.Ka.No.Aa2/46279/2017 12(3) settlement dated 19.07.2019 and quash the same in so far as the member of the petitioner's committee and further direct the second respondent to pay all the labour dues including Provident Fund, Gratuity lay of wages, bonus, leave wages and other statutory benefits to the employees.

2.The learned counsel appearing for the petitioner submitted that the petitioner has filed this writ petition challenging the 12(3) settlement dated 19.07.2019, however, the second respondent had filed counter affidavit stating that the second respondent had paid the money due to the members of the committee in terms of the settlement dated 19.07.2019. Hence, this Court may issue direction to the respondents to pay the amount, if not already paid.



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3.The learned counsel appearing for the respondents submitted that as per the settlement dated 19.07.2019, the second respondent disbursed the amount to all the employees including the members of the petitioner committee.

4.In view of the above, this Court directs the second respondent Management to settle the payment in respect of the members who formed the petitioner Committee, if not already settled, within a period of four weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of. No costs.

21.04.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

1.The Special Deputy Commissioner of Labour,
4th Floor, Labour Welfare Building,
DMS Compound,
Chennai – 600 006.

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M.DHANDAPANI,J.
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