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W.A.No.3694 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

CORAM

THE HONOURABLE MRS. JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.A.No.3694 of 2024

and

C.M.P.No.29205 of 2024

The Management
Cognizant Technology Solutions India Private Limited
Rramanjan I.T. Park, Taramani,
Chennai - 600 113
Having its registered office at
No.5/535, Old Mahabalipuram Road,
Okkiyam Thoraipakkam, Chennai - 600 097
Represented by its Associate
Director-Legal

..Appellant

Vs.

R.Senthil Kumar
Son of M.Ramachandran
No.15, 1st floor,
Kannadasan Nagar, Main Road,
Ramapuram,
Chennai - 600 078

..Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against
the order dated 23.09.2024 passed in W.P.No.2133 of 2023

For Appellant : Mr.C.Manohar Gupta

For Respondent : Mr.K.M.Ramshn
Senior Counsel
for Mr.V.Subramani



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JUDGMENT

(The judgment of the Court was made by J.Nisha Banu,J.)

Today, though the matter is listed under the caption 'for withdrawal', a joint memo dated 04.08.2025 was filed by the parties requesting this Court to take up the Memorandum of Settlement dated 31.07.2025 on file.

2. This Writ Appeal has been filed as against the order dated 23.09.2024 passed in W.P.No.2133 of 2023. The appellant Management as well as the respondent/workman have filed the writ petitions separately and both the writ petitions were taken up together and a common order was passed in W.P.Nos.2133 & 30140 of 2023 by modifying the award of the Labour Court into one of reinstatement without backwages, with continuity of service.

3. Learned counsel appearing for the appellant as well as the respondent would state that the dispute between the parties has been amicably settled and a Memorandum of Settlement dated 31.07.2025 has been entered into between them. The parties have also filed a joint memo dated 04.08.2025 requesting this Court to take up the Settlement on file and pass appropriate orders.

4. The Terms of the settlement dated 31.07.2025 entered into between the parties reads as follows:



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"A. R.SENTHIL KUMAR hereby accepts that the termination order dated 25/02/2019 issued to him as final and irrevocable.

B. With a view to give quietus to the matter the Company hereby agrees to pay a sum of Rs.27,50,000/- (Rupees Twenty-Seven Lakh Fifty Thousand Only) to R.SENTHIL KUMAR subject to deduction of tax as applicable in full and final settlement of all his claims including terminal benefits and including the claim arising out of the award dated 20/12/2022 passed in O.P.No.140 of 2019 and order dated 23/09/2024 passed in W.P.No.2133 of 2023.

C. R.SENTHIL KUMAR agrees to receive the sum of Rs.27,50,000/- subject to deduction of tax as being paid by the Company in full and final settlement of all his claims including the claims arising out of the award dated 22/12/2022 passed in O.P.No.140 of 2019 and order dated 23/09/2024 in W.P.No.2133 of 2023.

D. R.SENTHIL KUMAR in view of the settlement and payment made thereof has agreed that he will not raise or pursue or agitate any other further demands whether directly or indirectly against the Company. This includes monetary or financial claims, liabilities or consequences, as well as any claims for reinstatement or continuation of employment or re-employment or any claim arising out of award passed



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in O.P.No.140 of 2019 and order dated 23/09/2024 in W.P.No.2133 of 2023.

E. Both parties agree that in view of this settlement the "Employer and Employee" relationship between R.SENTHIL KUMAR and Company has come to an end.

F. Both parties agree to file a copy of the settlement in W.A.No.3694 of 2024 and request the Hon'ble Court to take the settlement on record and pass appropriate orders. Upon filing joint memo by the Parties along with this memorandum of settlement and upon disposal of the W.A.No.3694 of 2024 within seven working days, the Company will disburse the said amount of Rs.27,50,000/- subject to applicable TDS via wire transfer to R.SENTHIL KUMAR RAMACHANDRAN, ICICI Bank account No.603801531638, IFSC CODE NO.ICIC0000077, BRANCH K.K.NAGAR, CHENNAI.

G. Both parties agree that in view of the settlement the Company will be entitled to withdraw the sum of Rs.20,00,000/- (Rupees Twenty Lakh Only) deposited on 28/02/2025 in O.P.No.140 of 2019 before the III Additional Labour Court, Chennai in terms of the interim order dated 19/12/2024 passed in C.M.P.No.29205 of 2024 in W.A.No.3694 of 2024 by filling necessary application for withdrawal. R.SENTHIL KUMAR agrees to sign the joint memo to



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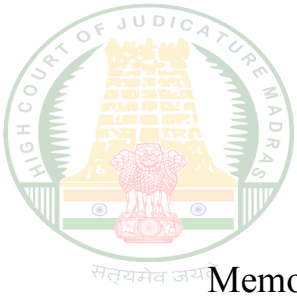


be filed before the Labour Court with no objection against withdrawal of the amount.

H. R.SENTHIL KUMAR agrees not to reveal or disclose the terms of this Memorandum or share a copy of this Memorandum or the facts and circumstances underlying this Memorandum with any third party who is not a party to the above litigation except to his attorneys, tax advisors, accountants or except as may be required by any applicable laws.

I. R.SENTHIL KUMAR agrees not to disparage or encourage or induce others to disparage the company, its products or services, officers, directors, shareholders, employees and agents ("Company Parties"). For purposes of this section, the term "disparage" includes, without limitation any past, present or future comments or statements to the press, through media including social media, to the Company's employees or to any individual or entity or any third party with whom the Company has a business relationship (including, without limitation, any vendor, supplier, customer or distributor), or any public statement, that in each case is intended to, or can be reasonably expected to, malign or have an adverse effect on the Company."

5. The parties shall abide by the terms of the Settlement.



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6. Accordingly, the Writ Appeal is disposed of. The

Memorandum of Settlement dated 31.07.2025 shall form part of the record. No costs. Consequently, connected miscellaneous petition is closed.

[J.N.B.,J.] [M.J.R.,J.]
19.08.2025

vsi

Speaking order/Non-speaking order

Neutral Citation: Yes/No



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AND
M.JOTHIRAMAN,J.

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