

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-II organised by the High Court Legal Services Committee

Tuesday, the 3r day of February, 2015

LOK ADALAT-II AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided by

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Members

Mr.P.Duraishanmugam
Mrs.S.S.Jothivani

W.P.No.12350 of 2011

Writ petition filed under Article 226 of constitution of India to issue writ of certiorari to call for the records relating to ID 167/07 dated 30.01.2010 on the file of the Labour Court, Salem the 1st respondent herein.

The Management of Tamil Nadu,
State Transport Corporation (Kovai) Ltd.,
Erode Region, Chennaimalai, Erode-1. Appellant
Vs.

1.The Presiding Officer,
Labour Court,
Salem.

2.Shri K.Rajendran,
S/o.P.Kandasamy सत्यमेव जयते... Respondent

On representation This case has been taken up for settlement before the Lok Adalat. Both the parties present. The learned counsel for the appellant Mr.T.Chandrasekaran and learned counsel Mr.K.S.Sathish for the second respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The writ petition in W.P.No.12350 of 2011 pending on the file of High Court, Madras has been referred to Lok Adalat for conciliation today.

2. The writ petitioner, Tamil Nadu State Transport Corporation (Kovai) Ltd., Erode represented by its General Manager, assisted by counsel Mr.T.Chandrasekaran and second respondent assisted by counsel Mr.K.S.Sathish are present before the Lok Adalat for conciliation today.

3. The second respondent who was appointed as cleaner in the appellant Transport Corporation was dismissed from service on 20.11.2000, on the ground of unauthorised absence. The said order of dismissal was questioned in I.D.No.167 of 2007 before the first respondent Labour Court, at Salem and the first respondent was pleased to pass an award for re-instatement of the second respondent with back-wages and continuity of service from the date of petition. The said order is questioned in the above said writ proceedings.

4. After great deliberation and discussion, both the parties, have compromised the disputed claim to the effect that the second respondent shall be re-instated with continuity of service but without back-wages. Both parties agree to pass the award in the above said terms of compromise.

In view of the settlement arrived at between both the parties, the Lok Adalat hereby declare and decree that the second respondent shall be re-instated to service in the writ petitioner Transport Corporation with continuity of service but without back-wages. The second respondent will be entitled to draw salary from the date of joining in service in the writ petitioner Transport Corporation and the second respondent is not entitled to any other benefits other than the relief granted in this award. The order passed by the first respondent in I.D.No.167 of 2007 is set aside. No order as to costs in this appeal. The award is passed accordingly.

Sd/

The Management of Tamil Nadu,
State Transport Corporation (Kovai) Ltd.,
Erode Region, Chennaimalai Road, Erode-1.

Sd/
(Counsel for the Appellant)

Sd/
Shri K.Rajendran,
S/o.P.Kandasamy

Sd/
(Counsel for the 2nd respondent)

This Lok Adalat award is passed in terms of the above settlement. The Court fee paid shall be refunded to the parties in the manner provided under the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Sd/
Judge

Sd/
Member

Sd/
Member

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To
The parties/Advocate concerned

Copy to

- 1.The Presiding Officer Labour Court, Salem
- 2.The Secretary, High Court Legal Services Committee, Chennai.
- 3.The Section Officer, V.R.Section, High Court, Madras.
- 4.The Section Officer, Lok Adalat Section, High Court, Madras.

prm

सत्यमेव जयते

W.P.No.12350 of 2011

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