

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Friday, the 17th day of March 2017

LOK ADALAT AWARD

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

Presided by

The Hon'ble Mr.JUSTICE J.A.SAMPATHKUMAR (Retd.)
and

Members

Mr.P.Rosaiah
Mrs. R.Vijayakamala

W.P.Nos. 19222 & 25402 of 2016

Prayer in W.P.No.19222 of 2016:The Writ Petition is filed to pass a Writ of Certiorari or any writ, order or direction to call for the records pertaining to the order passed in C.P.No.393 of 2014 dated 14.10.2015 on the file of the 2nd respondent herein and quash the same

Prayer in W.P.No.25402 of 2016:The Writ Petition is filed to pass a Writ of Certiorari or any writ, order or direction to call for the records pertaining to the order passed in A.P.No.524 of 2011 dated 19.07.2013 on the file of the 2nd respondent herein and quash the same

The Management of Metropolitan
Transport Corporation (Chennai) Ltd.,
Pallavan Illam, Anna Salai,
Chennai - 600 002.

.. Petitioner in both W.P.'s
/vs/

1.Thiru D.Venkatesan
NO.16/B, Pallavan Colony,
Thuraipakkam,
Chennai-600 096

... 1st respondent in in
W.P.Nos.19222 & 25402/2016

2. The Presiding Officer,
1st Additional Labour Court,
City Civil Court Annexure Buildings,
High Court Compound,
Chennai-600 104.

.. 2nd respondent in
W.P.No.19222/2016

3.The Special Deputy Commissioner of Labour,
DMS Compound, Chennai.

.. 2nd respondent in in
W.P.No. 25402/2016

Both present, the Management Counsel Mr.M.Chidambaram and also Management representative Mr.K.Soundararajan, Assistant Manager (Legal) , Mr. S.T.Varadarajulu, Mr. T. Karkkivelan, Advocates for Workman present.

ORDER

Both parties are present and they have filed Joint Memo of compromise. The Joint Memo reads as follow:

"It is humbly submitted that the 1st respondent workman was dismissed from service for absence on 30.10.2007. As the common dispute was pending as he is the concerned workman, the petitioner sought approval for the dismissal before the 3rd respondent in A.P.NO. 524 of 2011. The 3rd respondent by an order dated 19.07.2013 rejected the approval petition filed by the petitioner corporation. Against the order of the 3rd respondent, the writ petition No.25402 of 2016 is filed. The respondent workman also filed computation petition claiming backwages for the non employment period before the 1st Additional Labour Court, Chennai in C.P.No.393 of 2014. The Labour Court by an order dated 14.10.2015 computed the amount to Rs.14,46,486.70.

It is submitted that the above writ petitions are posted before the Lok Adalat for settlement. The 1st respondent workman agree to forego entire backwages for the non employment period from the date of dismissal to the date reinstatement on condition that he is given reinstatement with continuity of service and employer's PF contribution to the PF trust for the above non employment period by the petitioner management. Further the workman is agreed not to claim the amount ordered by the 1st Addl. Labour Court, Chennai in C.P.No.393 of 2014 dated 14.10.2015. The Management agreed for the term stated by the Workman. With the above terms the settlement is arrived by the both the parties."

The above Writ Petitions are disposed of, in terms of joint memo of compromise. The Joint Memo shall be part of the award.

sd/-

The Management of Metropolitan
Transport Corporation (Chennai) Ltd.,
Pallavan Illam, Anna Salai,
Chennai - 600 002.

sd/-
Petitioner / Management

sd/-
D.Venkatesan
Respondent/Workman

sd/-
Counsel for petitioner

sd/-
Counsel for respondent

sd/-
Judge

sd/-
Member

sd/-
Member

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

The parties/Advocate concerned
Copy to:

- 1.The Prsiding Officer
I Additional Labour Court, Chennai
 2. The Special Deputy Commissioner of Labour
DMS Compound, Teynampet, Chennai 6
 - 3.The Secretary, High Court Legal Services Committee, Chennai.
 - 4.The Section Officer, V.R.Section, High Court, Madras.
 - 5.The Section Officer, Lok Adalat Section, High Court, Madras.
- +2 Copies

सत्यमेव जयते

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NRJK (CO)
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