

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 13th day of September, 2017

LOK ADALAT AWARD

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

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

Members

Mr.P.Ramalingam
Mrs.V.Malleswari

W.P.No.32593 of 2016 and WMP.Nos.28244,28245 of 2016

(Writ Petition filed a writ of Certiorari or any other appropriate writ, order or direction of like nature calling for the records pertaining to the order passed in A.P.No. 18 of 2012 dated 25.07.2014 on the file of the 2nd respondent herein and quash the same.

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

.. Petitioner

Vs.

1.J.Nickelson

2.The Special Deputy
Commissioner of Labour,
D.M.S. Complex, IV Floor,
Teynampet, Chennai- 600 006.

3.The Secretary,
The Government of Tamil Nadu,
Transport Department,
Fort. St.George,
Chennai- 600 009 .

...Respondents

R-3 is suo-motu impleaded as per order dated 19.09.2016 by N.K.K.,J in Wp.No.32593 of 2016

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.Chidamparam, Counsel for the petitioner is present. Mr.S.T.Varadharajulu and Mr.R.Karkivelan Counsel for the respondents 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 32593 of 2016 pending on the file on High Court of Madras and preferred against the order passed in A.P.No. 18 of 2012 dated 25.07.2014 on the file of the Special Deputy Commissioner of Labour Chennai- 6 has been referred to Lok Adalat for conciliation.

2. The Petitioner management Metro Transport Corporation of Chennai represented by Assistant Manager (Legal) and the contesting first respondent and the learned counsel appearing for the first respondent are present before the Lok Adalat today for conciliation. After great deliberation and discussion both parties have compromised disputes and have come to the following settlement.

3. The First respondent workmen has agreed to given up the entire back wages from the date of dismissal till the date of re-instatement. The writ petitioner and the first respondent have agreed for continuity of service and other incidental benefits till the date of re-instatement.

4. The writ petitioner has also agreed to pay the contribution to be made by the workman, the first respondent towards provident fund in favour of PF trust of the Transport Corporation ,since, the first respondent workman was unemployed over the years. This contribution payment of provident fund shall continue till the period of re-instatement of the first respondent workman.

5. In view of the above compromise, the Lok Adalat declare and decree that the first respondent workman shall not claim back wages from the date of dismissal till the date of re-instatement, that the first respondent shall be entitled to

continuity of service and other incidental benefits and that the writ petitioner shall contribute the employer share of contribution to the provident fund Trust.

6. It is made clear that such contribution of entire PF amount shall be paid by the writ petitioner till the period of re-instatement. No order as to costs. Award is passed accordingly. Consequently, connected Miscellaneous Petitions are closed.

sd/-

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

sd/-

Counsel for the Petitioner

sd/-

1. J.Nickelson

sd/-

Counsel for the Respondent

sd/-
Judge

sd/-
Member

sd/-
Member

s/d-
Assistant Registrar(LA)

True Copy

Sub-Assistant Registrar

To: The parties/Advocate concerned

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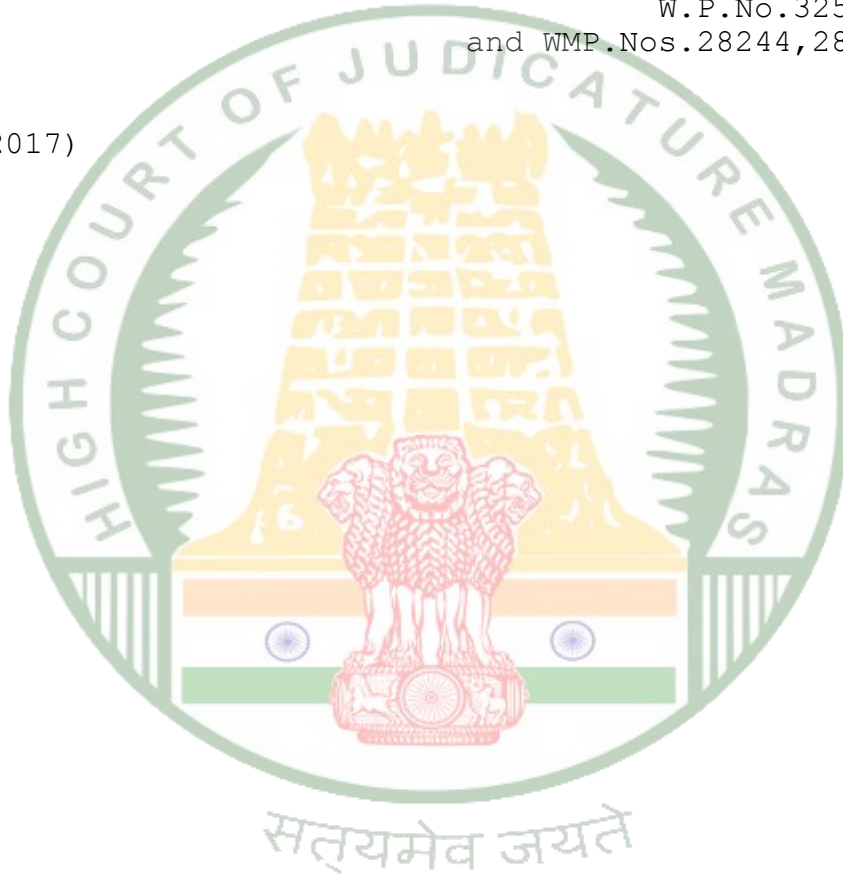
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- 4.The Secretary, High Court Legal Services Committee, Chennai.
- 5.The Section Officer, V.R.Section, High Court, Madras.
- 6.The Section Officer, Lok Adalat Section, High Court, Madras.+2
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W.P.No.32593 of 2016
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NM(CO)
SP(20/11/2017)



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