

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Thursday, the 21th 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.G.Dharmaraj
Mr.V.Kumaravelan

W.P.No.33155 of 2016 and WMP.No.28673 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 I.D.No.430 of 2013 dated 06.05.2016 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.N.Mohana Sundaram

2.The Presiding Officer,
I Additional Labour Court,
City Civil Court Main Building,
High Court Compound,
Chennai - 600 104

3.The State of Tamil Nadu,
Represented by its Secretary,
Transport Department,
Fort. St.George,
Chennai- 600 009 .

...Respondents

R-3 is suo-motu impleaded as per order
dated 22.09.2016 by N.K.K.,J in Wp.No.33155 of 2016

This case came up for settlement before the Lok Adalat. Both the parties are present. The 1st respondent Mr.N.Mohana Sundaram party in person is present. Mr.M.Chidamparam, Counsel for the petitioner is 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 No.33155 of 2016 pending on the file on High Court of Madras and preferred against the order passed in I.D.No.430 of 2013 dated 06.05.2016 on the file of the Presiding Officer, 1st Additional Labour Court, Chennai- 600 104. 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 party in person is 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 infavour 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 Petition is closed.

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

sd/-
Counsel for the Petitioner

sd/-
N.Mohana Sundaram

sd/-
Party in person

sd/-
Judge

sd/-
Member

sd/-
Member

s/d-
Assistant Registrar (LA)

True Copy

Sub-Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Presiding Officer,
I Additional Labour Court,
City Civil Court Main Building,
High Court Compound,
Chennai - 600 104

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2. The State of Tamil Nadu,
Represented by its Secretary,
Transport Department,
Fort. St.George,
Chennai- 600 009 .

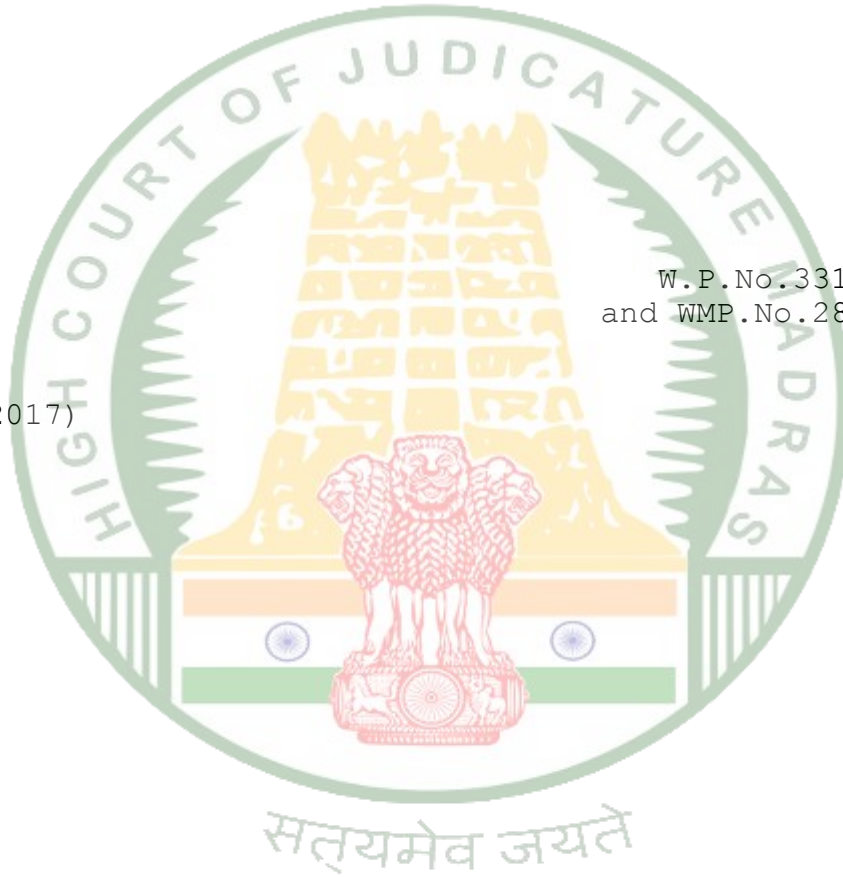
3.The Secretary, High Court Legal Services Committee, Chennai.

4.The Section Officer, V.R.Section, High Court, Madras.

5.The Section Officer, Lok Adalat Section, High Court, Madras.+2
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SJ(CO)
SP(21/11/2017)

W.P.No.33155 of 2016
and WMP.No.28673 of 2016



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