

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 8th December 2018

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.GOVINDARAJ
and

Members

Mr.G.Palaniappan (Dist. Judge, Retd.)
Mr.L.Chandrakumar

W.P.NO.9099 OF 2018
AND WMP NO.10926 OF 2018

(Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorari, to call for the records pertaining to the order dated 30.11.2017 passed by the first respondent in I.D.No.122 of 2002 and quash the same.)

The Management
Tamil Nadu State Transport Corporation
(Kumbakonam Division-I) Limited
Railway Station Road,
Kumbakonam.

... Petitioner

Vs.

1.The Presiding Officer
Labour Court
Cuddalore.

2.T.Nallathambi

... Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.D.Venkatachalam, learned counsel for the petitioner and Mr.R.Bala Ramesh, learned Special Government Pleader and the second respondent are present. After mutual discussion, both parties have arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

Challenging the order dated 30.11.2017 passed by the first respondent in I.D.No.122 of 2002, the petitioner is before this Court.

2. The learned counsel appearing on either side would submit that the matter has been settled. They filed a joint memo, which reads as follows:

"JOINT MEMO FILED BY BOTH PARTIES

The 2nd Respondent was worked as a Conductor in this appellant Corporation. He was dismissed from service on 22.12.2000 for FC Case.

Against the Dismissal the 2nd Respondent filed ID before the Labour Court Cuddalore in no 122/2002 claiming setaside the dismissal order and asked to settle back wages back wages and other retirement benefits. After full trial the Labour Court ordered dated 30.11.2017 setaside the dismissal order and ordered to settle the back wages and other retirement benefits.

Against the ID order this appellant filed writ petition before the Honourable High court in WPSR,

Now the 2nd Respondent come forward for settlement this case on the following terms.

After deliberation and negotiation both the parties have arrived at a settlement in the following terms:-

1. Both the parties hereby agreed that the 2nd Respondent is agreed to received the entire retirement and attendant benefits upto the period duty performed by him (01.10.1977 to 22.12.2000) and also agreed to receive the eligible pension for service rendered and agreed to forego back wages from 23.12.2000 to 31.10.2008 (Date of Retirement). Agreed to receive pension from the month September 2018.)

2.The 2nd Respondent herein will have no other claim whatsoever against the appellant herein and he accepts the above terms of settlement as full and final.

3.The appellant herein agreed to settle the entire retirement benefits and attendant benefits and eligible pension upto the period of service rendered by 2nd Respondent (01.10.1977 to 22.12.2000). Agreed to sanction pension from September 2018."

3.Recording the settlement arrived at between the parties, this writ petition is disposed of. The joint memo filed by the parties is taken on file and shall form part of the record. No costs. Consequently, connected

miscellaneous petition is closed.

The Management
Tamil Nadu State Transport Corporation
(Kumbakonam Division-I) Limited
Railway Station Road,
Kumbakonam.

Counsel for the petitioner

1.The Presiding Officer
Labour Court
Cuddalore.

Counsel for the 1st Respondent

2.T.Nallathambi

Counsel for the 2nd Respondent

This Lok Adalat award is passed in terms of the above settlement.

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and 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.

Member

Judge

Member

सत्यमेव जयते

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M. GOVINDARAJ, J.

TK

To: The parties/Advocate concerned
Copy to:

1. The Presiding Officer, Labour Court, Cuddalore.
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. + 2 copies



W.P.NO.9099 OF 2018

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08.12.2018