

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

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

Wednesday, the 21st day of February, 2018

LOK ADALAT ORDER

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

Presided over by

The Hon'ble Mr.JUSTICE G.CHOCKALINGAM (Retd.)

and

Members

Mr. M.G.Jayavelu, (District Judge Retired)

Mr.S.Sridharan

W.P.No.9986 of 2017

This writ petition is filed under Article 226 of the Constitution of India in the nature of Writ of Certiorari after calling for the records relating to the order dated 29.09.2016 passed in I.D.No.155 of 2011 on the file of the Labour Court, Coimbatore and quash the same as being illegal, arbitrary and unconstitutional.

The Management,
Tamil Nadu State Transport Corporation
Coimbatore Limited.,
No.37, Mettupalayam Road, Coimbatore.

...Petitioner

Vs.

1. S.Manickam

2.The Presiding Officer,
Labour Court,
Coimbatore.

(2nd respondent is a formal party)

... Respondents

Though the case is not listed today this case came up for settlement before the Lok Adalat. Both the parties are present. The learned counsel for the Appellant, Mr.K.J.Sivakumar, the learned counsel for 1st respondent, Mr.A.Rajendiran are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

O R D E R

Both the parties are present along with their respective counsel.

2. The present writ petition has been filed by the petitioner Tamil Nadu State Transport Corporation Coimbatore Limited against the order passed in I.D.No.155 of 2011 dated 29.09.2016 and pray for dismissal of the orders passed by Labour Court, Coimbatore.

3. While the writ petition is pending both the parties have come out for settlement and both parties agreed to settle the matters amicably. According to settlement the 1st respondent S.Manickam agreed to forgo 50% of backwages awarded in the I.D.155 of 2011 and agreed to receive all terminal/pensionary benefits with effect from his date of retirement (i.e.30.06.2013). The writ petitioner also agreed to pay all the terminal/pensionary benefits with effect from date of retirement except the 50% backwages.

4. In view of above settlement arrived between the parties award is passed in the writ petition with direction to the writ petitioner to pay to the 1st respondent S.Manickam all terminal/pensionary benefits from the date of retirement (ie. 30.06.2013) except the 50% of backwages as awarded in the I.D.155 of 2011.

5. The writ petitioner is directed to disburse the entire terminal/pensionary benefit within a period of twelve weeks from today.

6. Award is passed accordingly. Consequently connected W.M.P.No.10989 of 2017 is also closed.

Sd\-

The Management,
Tamil Nadu State Transport Corporation
Coimbatore Limited.,
No.37, Mettupalayam Road, Coimbatore.

Sd\-

Counsel for the Petitioner

Sd\-

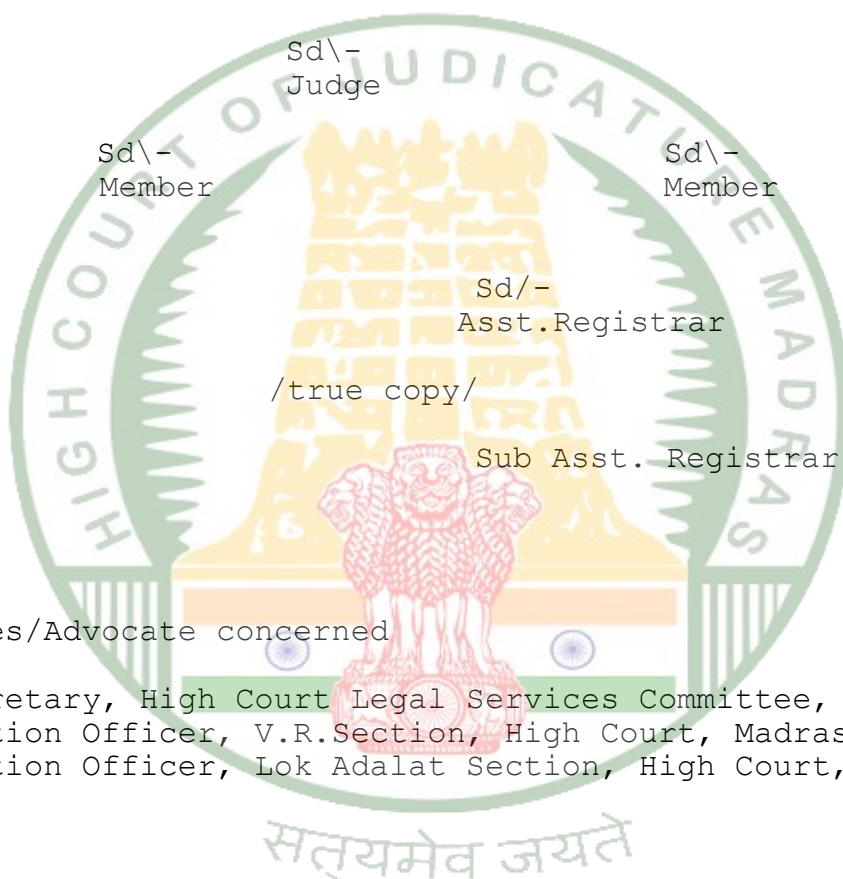
S.Manickam

Sd\-

Counsel for the 1st 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



To

The parties/Advocate concerned

Copy to:

- 1.The Secretary, High Court Legal Services Committee, Chennai.
 - 2.The Section Officer, V.R.Section, High Court, Madras.
 - 3.The Section Officer, Lok Adalat Section, High Court, Madras.
- (2 copies)

W.P.No.9986 of 2017

kgk(co)
nr 13/03/2018

WEB COPY