

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Wednesday, the 25th day of September, 2019

LOK ADALAT AWARD

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

The Hon'ble Mr.JUSTICE M.THANIKACHALAM (Retd.)
and

Member
Mr.G. Palaniappan

CMA.No.2795 of 2015

(Appeal against the Judgment and decree passed on 10.07.2015
made in W.C. No.42 of 2013, on the file of the Employees
Compensation Commissioner-1 and Deputy Commissioner of Labour-1,
Chennai).

The Managing Director,
Metropolitan Transport Corporation,
Pallavan Salai,
Chennai - 600 002

....Appellant

Vs..

Thiru K. Saravanan

...Respondent

This case came up for settlement before the Lok Adalat.
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 respondent who was working as a driver in the
Metropolitan Transport Corporation/the appellant herein,
involved in an accident for which he approached the Workmen
compensation Tribunal where the Deputy Commissioner of Labour-1
passed an award to Rs.3,82,027/- (Rupees Three Lakhs Eighty Two
Thousand and Twenty Seven Only) with interest which is
challenged by the Management/the appellant herein.

2. As reported, the workman i.e. The respondent retired on
31.07.2019 and he may be eligible for the retirement benefits as
per the rule. It appears that this case may be hindrance for
settling the retirement benefits and in this way or otherwise,
the parties sat together and settled the matter among themselves

amicably under which, the respondent/driver has agreed to forgo 75% of the award amount agreeing to receive only a sum of Rs.95,507/- (Rupees Ninety Five Thousand Five Hundred and Seven Only). Evidencing for it, they have also filed a Joint Memo which is recorded. The Joint Memo shall form part of the order.

3. In pursuant of the Joint Memo as well as compromise reached between the parties, the award of the Deputy Commissioner Labour-1 is modified under which the respondent is entitled to only a sum of Rs.95,507/-(Rupees Ninety Five Thousand Five Hundred and Seven Only).

4. It is reported that the entire award amount was already deposited before Deputy Commissioner of Labour-1 from which the claimant-the driver/respondent by name Mr. Saravanan is entitled to withdraw a sum of Rs.95,507/-(Rupees Ninety Five Thousand Five Hundred and Seven Only).

5. The appellant-management/the Transport Corporation is entitled to withdraw the balance of the amount with accrued interest in the deposit. The award is passed accordingly.

6. The Tribunal is directed to issue the cheque to the party concerned on proper identification in accordance with the terms of the modified award, without insisting on any formal permission petition. The Civil Miscellaneous Appeal is disposed of accordingly.

7. The full Court fee 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 and there shall be no demand for additional Court fee.

-s/d-

The Managing Director,
Metropolitan Transport Corporation,
Pallavan Salai,
Chennai - 600 002

-s/d-

Counsel for the Appellant

-s/d-

Thiru. K. Saravanan
Counsel for the Respondent

-s/d-

Judge

-s/d-

Member

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

***Enclose xerox copy
of Joint Memo**

To: The parties/Advocate concerned

Copy to:

1. Employees Compensation Commissioner-1 and Deputy
Commissioner of Labour-1,
Chennai
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

CMA.No.2795 of 2015

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