

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 13th July 2019

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble MR.JUSTICE T.N.VALLINAYAGAM (Retd.)

and

Members

Mr.T.Seemadurai

Mr.K.Ethirajalu

W.P.No.7095 of 2018 and W.M.P.No.29024 of 2017

This Writ Petition has been filed under Article 226 of the Constitution of India, to pass a Writ of Certiorari or any writ, order or direction to call for the records of the 6th respondent made in A.P.No.63 of 2011 dated 27.03.2017 and quash the same as illegal and against the provisions of the Industrial Disputes Act, 1947.

The Management,
Tamilnadu State Transport Corporation.
(Kumbakonam) Limited,
27, Railway Station Road,
Kumbakonam.

... petitioner

Vs.

- 1.Sangeetha
- 2.Aravindan
- 3.Ganeshkumar
- 4.Muthukrishan
- 5.Valli
- 6.The Special Deputy Commissioner of Labour,
D.M.S.Compound,
Chennai.

... Respondents

On representation of the counsel on either side, this case is taken up for settlement before the National Lok Adalat. Mr.D.Venkatachalam learned counsel for petitioner and Mr.D.Suryanarayana, learned Government Pleader for the 6th respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

ORDER

The Joint Memo of compromise is filed by both the parties, since the matter is amicably settled between them and the same is taken on file and recorded as part of this Award and the relevant portion of the Memo of compromise is extracted hereunder:

*The Management,
Tamil Nadu State Transport Corporation (kumbakonam) Ltd.,
27, Railway Station New Road,
Kumbakonam-612 001, Thanjavur District.Appellant*

Vs.

*1.The Special Deputy Commissioner of Labour,
DMS Campus, Anna Salai, Chennai. ...1st Respondent*

2.Sangeetha

3.Aravindan

4.Ganeshkumar

5.Muthukrishnan

6.Valli

...Respondents 2 to 6

The 2nd Respondent come forward for settlement and after deliberation of negotiation both the parties have arrived to the following terms and conditions:-

1. Both the parties hereby agreed to the period of termination to expired date is deemed to be continuity of service.(14.02.2011 to 10.01.2015).

2. The 2nd Respondent agree to forego back wages from the date of dismissal to date of expired. (14.02.2011 to 10.01.2015) excluding the employer contribution for the not working period.

3. The 2nd Respondent accept to forego pension from January 2015 to December 2018 and agree to receive the pension amount from the Month of January 2019.

4. The Petitioner accept to enroll her son name in the appointment seniority list in compassionate ground from the date of Lok Adalat.

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

Is is therefore prayed that this Honourable Court may be pleased to accept the above memorandum of settlement and dispose the above writ petition.

Both parties signed in the Joint Memo.

The award is passed accordingly. Hence, the writ petition stands ordered in terms of the award. No costs. Consequently connected miscellaneous petition is closed.

Sd/-
The Management,
Tamilnadu State Transport Corporation.
(Kumbakonam) Limited,
27, Railway Station Road,
Kumbakonam

Sd/-
Counsel for the Petitioner

Sd/-
1.Sangeetha

Sd/-
2.Aravindan

Sd/-
3.Ganeshkumar

4.Muthukrishan

Sd/-
5.Valli

6.The Special Deputy Commissioner of Labour,
D.M.S.Compound,
Chennai.

Sd/-
Counsel for the 6th Respondent

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

T.N.VALLINAYAGAM.,J

sk

The Court fee paid shall be refunded to the parties in the manner provided under 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.

Sd/-
Member

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar(Insp.Cell)

To

The parties/Advocate concerned

Copy to

- 1.The Special Deputy Commissioner of Labour,
D.M.S.Compound, 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

सत्यमेव जयते

SECTION OFFICER

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W.P.No.7095 of 2018
and M.P.No.8795 of 2018