

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 G.K.ILANTHIRAIYAN

and

Members

Mr.N.Sivathanu, District Judge (retd)

Mr.S.Arokiamaniraj

W.P.NO.6395 OF 2014

The Management,
Z-340, Nakkambadi Primary Agricultural
Co-Operative Society, Rep. By its President,
Mandhai Post, Kuthalam Taluk,
Nagapattinam District.

.. Petitioner

/versus/

1.The Joint Registrar of Co-Operative Societies,
Nagapattinam Region,
Nagapattinam Post, Taluk and District.

2.M.Ravi

.. Respondents

This case is taken up for settlement before this Lok Adalat. Both the parties are present. Mrs.T.P.Savitha, learned counsel for petitioner and Mr.L.P.Shanmuga Sundaram, learned counsel for the first respondent are 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 has been filed challenging the order passed by the first respondent vide proceedings in Na.Ka.No.5779/2012/A-3, dated 23.02.2013, wherein, the first respondent directed the petitioner to reinstate the second respondent in service, as a Secretary with all monetary and attendant benefits.

2. During the pendency of the writ petition, the Petitioner/management reinstated the second respondent to the post of Clerk and also deducted the amount said to have been misappropriated by him in monthly instalments.

3. Today, when the matter is taken up before the National Lok Adalat, both the petitioner/Management and the second respondent have filed a Joint Memo of Compromise, dated 13.07.2019, which reads as follows:

"It is submitted that this Court in writ petition No.6395 of 2014 filed by the petitioner herein seeking Writ of Certiorari or direction in the nature of a writ calling for the records pertaining to the order passed by the first respondent passed in his proceedings Na.Ka.No.5779/2012/A-3, dated 23.02.2013 and quash the same. The matter came up for admission on 14.03.2014 before this Court and got an interim stay by the petitioner herein.

It is further submitted that in the mean time, the second respondent made a representation before the petitioner on 01.09.2017 and seeking for reinstatement. In which the Board resolved the following resolution:

"The Board hereby accepted the undertakings of Sri.M.Ravi, S/o. Mahalingam and posted him to the post of Clerk with effect from 21.04.2017 and also deducted the balance amount of misappropriation from his monthly salary."

It is further submitted that the second respondent now working as a Clerk in the petitioner's Society and also every month a quantum of amount deducted from his monthly salary towards misappropriation committed by him.

Therefore, it is submitted that this may record this Compromise memo and thus render justice".

4. Recording the same, this writ petition stands disposed of in terms of the aforesaid compromise memo. The Joint Memo of compromise dated 13.07.2019 signed by both the parties, shall form part of this order.

The Management,
Z-340, Nakkambadi Primary Agricultural
Co-Operative Society, Rep. By its President,
Mandhai Post, Kuthalam Taluk,
Nagapattinam District.

..Counsel for the Petitioner

1.The Joint Registrar of Co-Operative Societies,
Nagapattinam Region,
Nagapattinam Post, Taluk and District.

2.M.Ravi

.. Counsel for the Respondents

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.

WEB COPY

Judge

Member

Member

G.K.ILANTHIRAIYAN, J.
msm

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.6395 OF 2014

Dated: 13.07.2019
WEB COPY