

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Friday, the 30th day of August, 2019

LOK ADALAT ORDER

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

The Hon'ble Mr.JUSTICE P.THANGAVEL (Retd.)
and

Member

Mr. G. Dharmaraj

W.P.No.14526 of 2014

(Writ Petition has filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to pay backwages from the date of dismissal to the date of retirement and pension and other terminal benefits to the petitioner.)

R. Kumar

... Petitioner

Vs.

1.The Managing Director,
Metropolitan Transport Corporation,
Anna Salai, Pallavan Illam,
Chennai - 600 002.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund,
Pallavan Salai, Chennai - 600 002.

...Respondents

On representation of the learned counsel for petitioner, this case is taken up for settlement before the Lok Adalat. The learned counsel for the petitioner, Mr.T.Karkkivelan and Mr.M. Chidambaram for 1st respondent.

O R D E R

The Petition in W.P.No.14526 of 2014 pending on the file of the High Court of Madras has been referred to Lok Adalat for conciliation today.

2. The petitioner has filed this writ petition against the Respondents 1 and 2 to issue an order of writ, order or direction more particularly a writ of mandamus directing the respondents to pay backwages from the date of dismissal to the date of retirement and pension and other terminal benefits to the petitioner.

3. The petitioner assisted by the Counsel T. Karkkivelan, and the 1st respondent represented by Mr.M.Thamim Basha, Superintendent (Legal) and assisted by the Counsel Mr.M. Chidambaram are present before the Lok Adalat for conciliation today.

4. The writ petitioner has filed this writ petition praying to issue Writ of Mandamus directing the respondents to pay backwages from the date of dismissal to the date of retirement and pension and other terminal benefits to him.

5. In view of the endorsement After great deliberation and discussion, both the parties have compromised the disputed claim and filed joint memo before Lok Adalat and the terms of Joint Memo has been read over and explained to the parties. The parties have agreed for the terms and conditions. The same is recorded by Lok Adalat.

6. In the Joint Memo, the terms and conditions is as follows:

" The above writ petition W.P. No.14526 of 2014 is posted before the Lok Adalat for settlement. After arrival of the settlement the management agrees to withdraw W.P. No.25242 of 2015. The petitioner workman agrees to forego entire backwages for the non-employment period from the date of dismissal to the date of retirement on condition that the management agreed to settle the terminal benefits of the workman with continuity of service with 12 (3) wage settlement benefits only. The petitioner workman agrees to pay employer's PF contribution without interest to the PF trust for the above non-employment period. The 1st respondent management agrees for the terms put forth by the petitioner workman. With the above terms the settlement is arrived by both the parties."

7. In view of the Joint Memo filed by both parties and the terms and conditions mentioned therein, the award is passed accordingly. The joint memo shall form part of the award. No order as to costs.

Sd/-
R. Kumar

sd/-
Counsel for the petitioner

sd/-
1. The Managing Director,
Metropolitan Transport Corporation,
Anna Salai, Pallavan Illam,
Chennai - 600 002.

sd/-
Counsel for the respondents

sd/-
JUDGE

sd/-
MEMBER

(* Xerox Copies Enclosed)

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To: The parties/Advocate concerned

Copy to:

1. The Managing Director, Metropolitan Transport Corporation, Anna Salai, Chennai 2
 2. The Administrator, Tamil Nadu State Transport Corporation Employees Pension Fund Pallavan Salai, Chennai 2
 3. The Secretary, High Court Legal Services Committee, Chennai.
 4. The Section Officer, V.R. Section, High Court, Madras.
 5. The Section Officer, Lok Adalat Section, High Court, Madras.
- +2 copies

W.P.No.14526 of 2014

NMI (CO)
SP(28/11/2019)