

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

Lok Adalat-I organised by the High Court Legal Services Committee
Wednesday, the 27th day of November, 2019

LOK ADALAT ORDER

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

The Hon'ble Mr.JUSTICE S.MARIMUTHU (Retd.)
and

Member

Mrs. Sudharshana Sundar

W.P.No.21176 of 2019

(Writ petition has been filed to issue a Writ of Certiorari or any other appropriate Writ, calling for the records pertaining to the order passed in A.P. No.64 of 2012 dated 28.11.2018 on the file of the 1st respondent and quash the same)

The Management,
Metropolitan Transport Corporation (Chennai) Limited,
Pallavan Illam,
Anna Salai, Chennai - 600 002Appellant

Vs.

1.The Special Deputy Commissioner of Labour,
D.M.S. Complex, IV Floor, Teynampet, Anna Salai,
Chennai - 600 002.

2.Mr. G. Shiva ...Respondents

On representation of the learned counsel for petitioner, Mr.M. Chidambaram, and Mr.M.Thamim Basha, Superintendent (Legal) of MTC, and the 2nd respondent as party in person, this case is taken up for settlement before the Lok Adalat.

O R D E R

The Petition in W.P.No.21176 of 2019 pending on the file of the High Court of Madras has been referred to Lok Adalat for conciliation today.

2. The 2nd respondent/driver was dismissed from service for unauthorized absence. The Management filed the Approval Petition in A.P.No.64 of 2012 for the purpose of approval of the dismissal order before the Special Deputy Commissioner for Labour. The same was not accepted by the authority.

3. As against the above said order, the management/MTC filed this writ petition.

4. The petitioner represented by Mr.M. Thamim Basha, Superintendent (Legal), assisted by the Counsel Mr.M. Chidambaram and the 2nd respondent are present before the Lok Adalat for conciliation today.

5. 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. The main portion of the Joint Memo is as follows:

" It is submitted that the respondent workman agreed to forego entire backwages from the date of removal ie.13.02.2012 to till the date of reinstatement, under the principle of " No Work No Pay" with a condition of his reinstatement and the Management/Petitioner also agreed and the workman was reinstated into service with continuity of service"

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. Award is passed accordingly. No order as to costs.

Sd/-

The Managing Director,
Metropolitan Transport
Corporation (Chennai) Limited,
Pallavan Salai,
Anna Salai, Chennai - 600 002

Sd/-

Counsel for the petitioner

Sd/-

Mr. G. Shiva

Sd/-

JUDGE

Sd/-

MEMBER

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

ENCL: Xerox Copy of Joint Memo filed by both parties

To: The parties/Advocate concerned

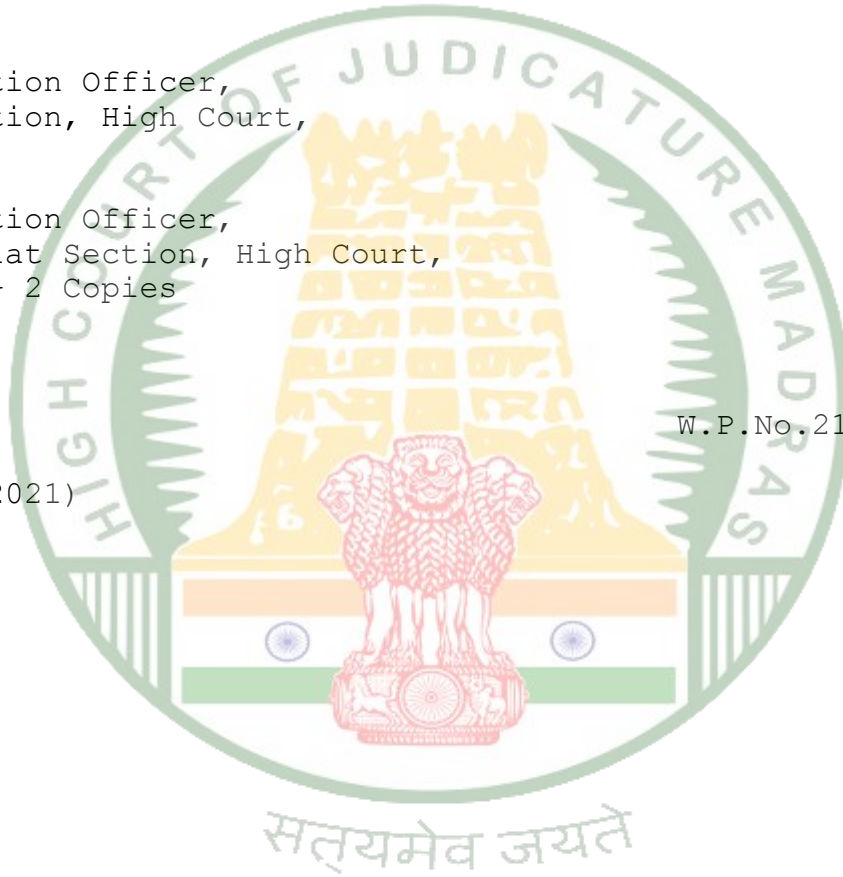
Copy to:

1. The Managing Director,
Metropolitan Transport Corporation, Che-2
2. The Special Deputy Commissioner of Labour,
Ch-6
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

Lbm

MG (CO)
GN (06/01/2021)

W.P.No.21176 of 2019



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