

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of December, 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.DHANDAPANI
and

Members

Mr.Pa.Kadirvel
Mr.Ravinder Bose

W.P.No. 19197 of 2018

(Writ petition in WP.No.41654/2016 filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari to call for the records relating to the Order dated 22.01.2015 passed by the econd Respondent in A.P.NO.508 of 2011 adn to quash the same.

The Management,
State Express Transport Corporation
Tamil Nadu Ltd.,
Pallavan Salai,
Chennai 600 002.

Petitioner

/versus/

1. Mr. N.Gopal (Deceased)
- 2.The Special Deputy Commissioner of Labour,
Teynampet, Chennai.
- 3.Tmt.G.Indira
- 4.Vijayakumari
- 5.G.Duraikannan
- 6.G.Deepa (Unmarried)
- 7.G.Sathishkumar (Unmarried)
- 8.Krishnaveni (Widow)

(R3 toR8 are substituted as Lrs of deceased
R1 as per order Dated 20/11/2019 made
in WMP.No.17992/2019 in WP.19197/2018)

... Respondents

The case is not listed today. With the consent of both the parties, these cases are taken up for settlement before this Lok Adalat. Both the parties are present. Mr.S.Rajeni Ramadass, learned counsel for petitioner is present. Mr.S.T.Varadarajulu learned counsel for RR1 to R6 and Mr.J.Ramesh, AGP for the respondent-7 is 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

It is represented by the learned counsel for the petitioner that during the pendency of the Writ Petition, there was a compromise between the petitioner Corporation and the respondents. Accordingly, both the parties filed a joint memo dated 14.12.2019 before the Lok Adalat. The relevant portion of the joint memo filed by both parties reads as follows:

"1.The Petitioner and the Respondent agree to treat the date of dismissal as compulsory retirement and the petitioner agree to pay pension from the date of compulsory retirement to the date of death of respondent workman.

2.The petitioner agree to pay Family Pension from the date of death of the respondent workman to the wife of the deceased workman.

3.The petitioner agree to pay other terminal benefits entitled to as per law and all payments be made in the name of wife of the deceased employee. The respondent agree to produce no objection certificate from other legal heirs at the appropriate time.

4.Both the parties agree for the above terms."

3.In view of such joint memo filed by both the parties, this writ petition is closed. No costs. Consequently, connected miscellaneous petition, if any, is closed.

The Management,
State Express Transport Corporation
Tamil Nadu Ltd.,
Pallavan Salai,
Chennai 600 002.

Counsel for the Appellant

- 1.Tmt.G.Indira
- 2.Vijayakumari
- 3.G.Duraikannan
- 4.G.Deepa (Unmarried)
- 5.G.Sathishkumar (Unmarried)
- 6.Krishnaveni (Widow)

Counsel for the respondent

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

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M.DHANDAPANI,J.

Jrs/ksa

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.

Judge

Member Member

To: The parties/Advocate concerned

Copy to:

1. The Special Deputy Commissioner of Labour, Teynampet, 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

W.P.No. 19197 of 2018

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14.12.2019