

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.Nos.41654 of 2016 and 5451 of 2017

(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 pertaining to the order passed by the second respondent in AP No.356 of 2013 dated 18.05.2016 and to quash the same.

Writ petition in WP.No.5451/2017 filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus, to direct the respondents to settle such as Back Wages, Gratuity, P.F, Death Relief Fund, Family pension and other terminal benefits to the petitioner.)

WP.No.41654 of 2016

The Management,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region, Vellore.
Rep. By its General Manager.

... Petitioner in
WP.41654/2016

/versus/

1. Thiru K.Ashok Kumar
2. The Special Deputy Commissioner of
Labour (Conciliation),
DMS Compund, Chennai

... Respondents in WP.No.41654/2016

WP.No.5451 of 2017

1.Mrs.P.Kavitha
2.A.K.Shri Shalini
3.A.Priyadharshini
4.A.K.Siva (Minor)
(4th petitioner is being mother and

natural guardian)

...Petitioners in WP.5451/ 2017

Vs.

1. The Managing Director,
TNSTC (Villupuram) Limited,
Villupuram, Villupuram District 605 602.

2. The General Manager,
TNSTC (Villupuram) Limited,
Villupuram, Villupuram District 605 602

.... respondents in
WP.No.5451/2017

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.T.Varadarajulu, learned counsel for petitioner is present. Mr.P.Paramesivadoss, learned counsel for the respondent 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 petitioners that during the pendency of the Writ Petitions, 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/Respondent is ready to settle the eligible terminal benefits (i.e., PF, Gratuity, Leave Liability) to the Legal heirs by considering the workman reinstated into service w.e.f. 03.12.2013 (i.e., Date of removal) with continuity of service without backwages and treat the workman died on 14.03.2014 in service.

2.The period from the date of reinstatement to the date of death treated as No Work No Pay.

3.Since, the workman treated as death while on service they allowed to register for the Compassionate Appointment. The same will be considered based on seniority while arising further vacancies.

4.The 1st respondent /petitioners agreed to receive a Pension from the date of the Lok-Adalath Settlement.

5.The 1st respondent/ Petitioners is accepted the above terms and Condition."

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

The Management,
Tamilnadu State Transport Corporation
(Villupuram) Ltd.,
Vellore Region, Vellore.
Rep. By its General Manager.

Counsel for the Appellant in
WP.No.41654/2016

The Managing Director,
TNSTC (Villupuram) Limited,
Villupuram, Villupuram District 605 602.

The General Manager,
TNSTC (Villupuram) Limited,
Villupuram, Villupuram District 605 602.

Counsel for the Appellants in
WP.No.5451/2017

M.DHANDAPANI,J.

Jrs/ksa

1. Thiru K.Ashok Kumar
2. The Special Deputy Commissioner of
Labour (Concillation),
DMS Compund, Chennai

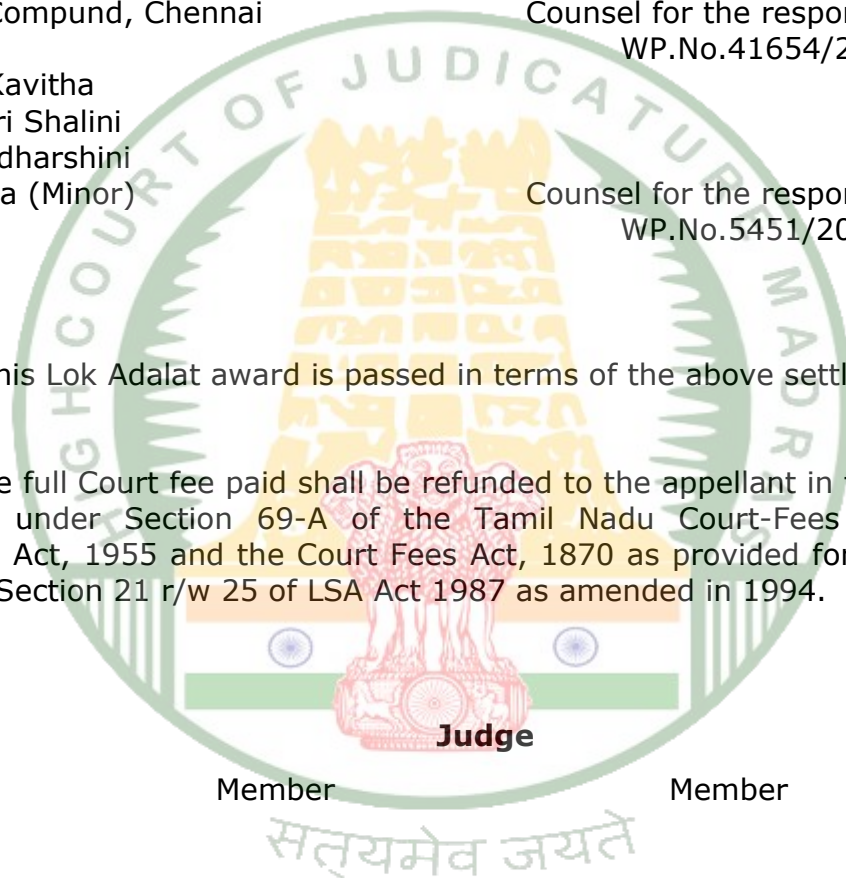
Counsel for the respondents in
WP.No.41654/2016

- 3.Mrs.P.Kavitha
- 4.A.K.Shri Shalini
- 5.A.Priyadharshini
- 6.A.K.Siva (Minor)

Counsel for the respondents in
WP.No.5451/2017

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.



Member

Member

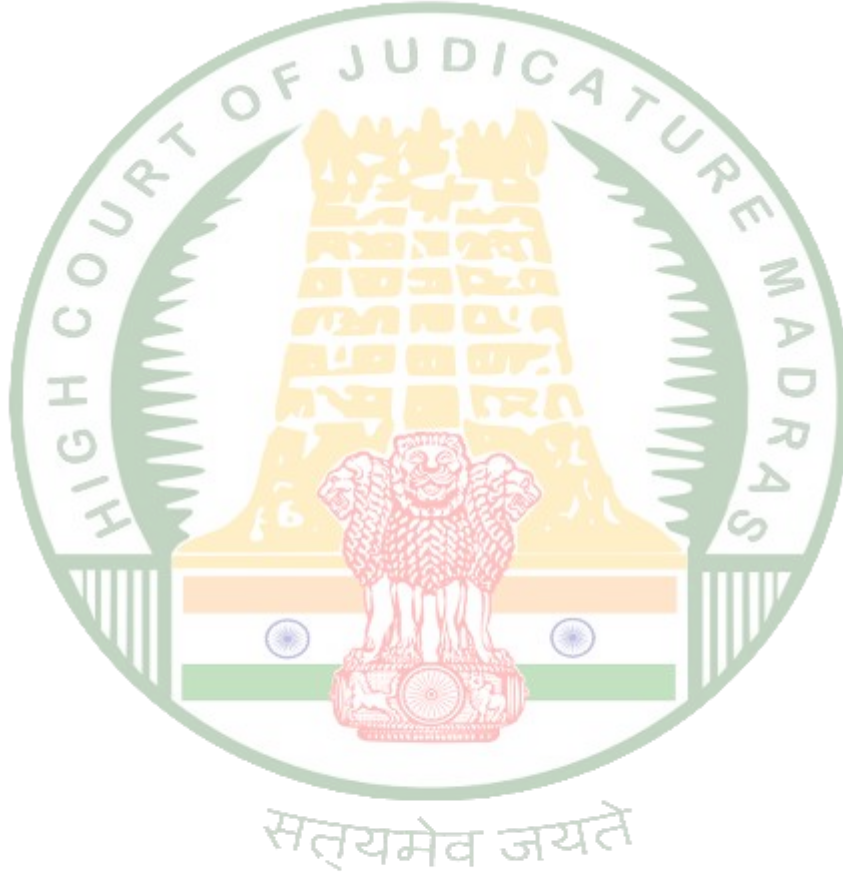
To: The parties/Advocate concerned

Copy to:

1. The Special Deputy Commissioner of
Labour (Concillation), DMS Compund, 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

W.P.Nos.41654 of 2016 and 5451 of 2017

14.12.2019



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