

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
LOK ADALAT-II ORGANISED BY THE HIGH COURT LEGAL SERVICES
COMMITTEE

TUESDAY, THE 07TH DAY OF JANUARY, 2020

LOK ADALAT AWARD

(CHAPTER VI AND U/S 21 OF LEGAL SERVICES AUTHORITIES ACT, 1987)
PRESIDED OVER BY

THE HON'BLE MR.JUSTICE R.KARUPPIAH (RETD.)
AND

MEMBER

Mr.K.Ethirajalu

W.P.No.18872 of 2014

Prayer :

Writ Petition has been filed under Article 226 of Constitution of India for an issuance of Writ of Certiorari to call for the records of the order passed by the 1st respondent in Claim Petition in C.P.No.262 of 2011 dated 13.11.2013 and to quash the same.

The Management,
The Metropolitan Transport Corporation,
Pallavan Salai,
Chennai - 600 002
Rep by its Senior Deputy Manager (HRD)

.. Petitioner

Vs.

1. The Presiding Officer,
I Additional Labour Court,
Chennai - 104.

2. R.Kandasamy

.. Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.M.Chidambaram, learned counsel for the petitioner and Mr.T.Karkkivelan, learned counsel for the second respondent are present.

TERMS OF SETTLEMENT

Second respondent and his counsel are present. First respondent is a Formal party. Petitioner - Superintendant (Legal) of Metropolitan Transport Corporation viz., Mr.M.Thamimbasha is also present.

2. Writ petition filed for an issuance of Writ of Certiorari to call for the records of the order passed by the 1st respondent in Claim Petition in C.P.No.262 of 2011 dated 13.11.2013 and to quash the same.

3. Thiru.R.Kandasamy / second respondent was removed from service on 08.03.2001 for having assaulted to the Driver of former Thiruvalluvar Transport Corporation Limited on 14.02.1999. As against the removal, the second respondent raised the dispute before the I Additional Labour Court in I.D.No.793/2001. The Labour Court passed an order to re-instate the second respondent in service with continuity of service with 50% of back wages and other benefits. The subject was placed before 254th Board meeting in which the respondent was reinstate in service with 40% of back wages out of 50% back wages with continuity of service and other attendant benefits on 20.10.2008. Against the above said order, the second respondent has filed a claim petition in C.P.No.262 of 2011 before the I Additional Labour Court, Chennai. The Labour Court allowed the petition and directed the petitioner to pay a sum of Rs.1,60,621/- to the second respondent. Against the above said order, the writ petitioner has filed this writ petition in W.P.No.18872 of 2014 before the Hon'ble High Court.

4. Now both petitioner and second respondent agreed to settle the dispute.

5. Terms of Compromise :-

The respondent - workman agreed to receive 50% of award amount i.e. Rs.80,310.50 and forego half of the amount i.e. 80,310.50/- to the Management out of Rs.1,60,621/-. The above said compromise is recorded.

6. The Petitioner / Management ready to withdraw the Writ Appeal S.R.No.57927 of 2017 pending before the Hon'ble High Court, Madras.

7. Writ Petition is disposed of accordingly.

8. The full Court fee paid shall be refunded to the petitioner 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 and there shall be no demand for additional Court fee.

Sd/-
The Management,
The Metropolitan Transport Corporation,
Pallavan Salai,
Chennai - 600 002
Rep by its Senior Deputy Manager (HRD)

Sd/-
Counsel for the Petitioner

Sd/-
R.Kandasamy

Sd/-
Counsel for the 2nd Respondent

Sd/-
Judge

Sd/-
Member

Sd/-
Assistant Registrar (L.A.)

//True Copy//

Sub Assistant Registrar

adl

To: The parties/Advocate concerned

Copy to:

1. The Presiding Officer, I Additional Labour Court, Chennai - 104.
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.No.18872 of 2014

NMI (CO)
CS/12/02/2020