



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2020

CORAM:

THE HONOURABLE **MR.JUSTICE RMT. TEEKAA RAMAN**

W.P. (MD)No.9338 of 2014

and M.P. (MD)No.1 of 2014

The General Manager,
Tamil Nadu State Transport
Corporation (Madurai)Limited,
Dindigul Region,
Bye Pass Road, Collectorate Post,
Dindigul-624 004.

... Petitioner

Vs.

1.The Special Deputy Commissioner of Labour,
O/o. Commissioner of Labour,
Chennai-600 006.

2.M.Madasamy

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records of the first respondent in his proceedings in Approval Petition No.175 of 2011, dated 27.12.2012, quash the same.

For Petitioner : Mr.J.Senthil Kumariah
For R1 : Mr.M.Muniasamy,
Additional Government Pleader.
For R2 : Mr.M.Elanchezhian

ORDER

This writ petition has been filed as against the award passed in the Approval Petition in 175 of 2011, dated 27.12.2012.

2.Heard the learned counsel on either side.

3.After hearing both the parties, the Management / Transport Corporation filed a memo stating that on 27.12.2012 the first respondent rejected approval filed by the Management, against which the management filed this present writ petition and still pending. It is further submitted that the fact is being so, now the petitioner and the second respondent has settled this issue amicably by following the terms and conditions:

1.The second respondent has now agreed to accept his eligible Gratuity amount of Rs.3,81,389/- (Three Lakhs Eighty One Thousand and Three Hundred Eighty Nine) without any interest.

2.The Management also decided to withdraw the dismissal order dated 15.06.2011 issued against the second respondent and management would issue retirement



order forthwith after closing this writ petition.

3.The Management also would take steps to sanction monthly pension of second respondent from the date of age of superannuation after closing this writ petition.

4.The second respondent has agreed to relinquish his pension arrears from the date of entitlement to till date of commencement of granting pension.

5.After closing this writ petition the management would sanction the second respondent's pension from very next month onwards.

4.The second respondent is agreeable for the same and he has also signed in the memo and the same is recorded. In view of the memo filed by the Management, this writ petition is closed. The memo filed by the petitioner shall form part of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

gns

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

Encl: Xerox Copy of Joint Compromise Memo

To

1.The Special Deputy Commissioner of Labour,
O/o. Commissioner of Labour,
Chennai-600 006.

+1 CC to M/s.K. HEMAKARTHIKEYAN, Advocate (SR-17811[F] dated 23/09/2020)

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AC (CO)
KB(05.10.2020) 2P 3C