



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 29.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
W.P.No.1260 of 2019 and
WMP No.1412 of 2019

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The Management,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Represented by its General Manager,
No.27, New Railway Station Road,
Kumbakonam - 620 001.

... Petitioner

-vs-

K.Marimuthu (died)
Staff No.92ME1015
Sweeper, Nannilam.

1. Valarmathi
2. Palanivelu
3. Vanitha
4. Palanimuthu
5. Pappamani
6. Special Deputy Commissioner of Labour,
Chennai - 600 006.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the Order, dated 12.09.2017 passed by the 6th respondent in Approval Petition No.208 of 2013 and quash the same, consequently direct the 6th respondent to approve the order of the petitioner, dated 18.06.2013 dismissing the employee Mr.K.Marimuthu from service.

For Petitioner : Mr.D.Venkatachalam

For Respondents: Mr.K.Chandrasekaran (for R1 to R5)
Mr.D.Sathyaraj (for R6)

O R D E R

The Writ Petition is filed, to quash the Order, dated 12.09.2017 passed by the 6th respondent in Approval Petition No.208 of 2013 and for a consequential direction to the 6th respondent to approve the order of the petitioner, dated 18.06.2013, dismissing the employee Mr.K.Marimuthu from service.

2. Today, when the matter is taken up for hearing, the learned counsel on either side submitted that the parties in the Writ Petition have settled the issues amicably.



3. The parties have also filed a Joint Memorandum evidencing such settlement. It is submitted that after deliberation and negotiation, both the parties arrived at a settlement in the following terms:

1. The petitioner agreed as the period of dismissal to expire date (18.06.2013 to 10.07.2016) is to be treated as continuity of service
2. The Respondents (1-5) agree as not to claim back wages for non-working period.
3. The petitioner agree to enroll any one of the legal heir name in the compassionate ground appointment register.
4. The Respondents (1-5) agrees to receive the pension amount for service period only (Date of appointment to Date of Death excluding non-employment period) and accept to receive the pension amount from the date of writ petition order.
5. The Respondents (1-5) also agreed as not to claim pension arrears.
6. The Respondents (1-5) herein will have no other claim whatsoever against the appellant herein and she accepts the above terms of settlement as full and final.

4. In view of the above, the joint memorandum of settlement is recorded and the Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vum
To

The Special Deputy Commissioner of Labour,
Chennai - 600 006.

+1cc to Mr.D.Venkatachalam, Advocate SR.No. 29954

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PCH (CO)
A.SK(02.08.2021)