



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2021

CORAM:

THE HONOURABLE MR. JUSTICE S. VAIDYANATHAN

W.P.No.36816 of 2005
W.P.M.P.39431 of 2005, W.P.M.P.1071 of 2006
& W.V.M.P.93 of 2006

Tamilnadu State Transport Corporation,
(Villupuram) Ltd,
Villupuram.
Rep by its Managing Director.

... Petitioner

..Vs..

1.The Joint Commissioner of Labour,
(Conciliation), D.M.S.Compound,
Teynampet,
Chennai - 600 006.

2. R.Kesavanarayanan

... Respondents

Prayer in W.P.No.36816 of 2005:- This Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records of the 1st respondent in Approval Petition No.389 of 2003 dated 10.12.2004 and to quash the same.

For Petitioner : Mr.Kala Ramesh
For Respondents : Mr.L.S.M. Hasan Fizal
Govt. Advocate for R1
Mr.V.Ajaykhose for R2

O R D E R

The Petitioner / Management has come forward with the present writ petition challenging the order in A.P.No.389 of 2003.



2. When the matter is taken up for hearing, the learned counsel for the Management submitted that to avoid payment of wages every month, the employee was reinstated on 28.02.2007 and there was a settlement under Section 18(1) of the I.D.Act, 1947 on 27.04.2007 between the parties and thereafter, the employee submitted a petition for Voluntary Retirement on 11.09.2007, which was accepted and PF dues, gratuity and other benefits have already been already settled, apart from settlement of Provident Fund on 13.05.2008.

3. In view of the same, there is no need to interfere with the order of the Authority concerned, as the employee had already left the services on Voluntary Retirement scheme, pursuant to the settlement and that he has already received the terminal benefits and prior to voluntary retirement, he has entered into the settlement on 27.04.2007.

4. Accordingly, this Writ Petition is closed. No costs.

Sd/-
Assistant Registrar (CS-CCC)

// True Copy //

Sub Assistant Registrar

dpq

To

The Joint Commissioner of Labour,
(Conciliation), D.M.S.Compound,
Teynampet,
Chennai - 600 006.

+1CC to M/s.Kala Ramesh, Advocate, SR.No. 37137
+1CC to M/s.V.Ajoy Khose, Advocate, SR.No. 37166

W.P.No.36816 of 2005

CA(CO)
B.VC (22/10/2021)