

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
Lok Adalat-I organised by the High Court Legal Services Committee
Tuesday, the 07th day of September, 2021

LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)
Presided over by
The Hon'ble Mr.JUSTICE MALAI SUBRAMANIAN (Retd.)
and

Member

Mr.K. Balasubramanian, District Judge (Retd.,)

W.P.No.25154 of 2019

and

WMP.No.24717 of 2019

(This writ petition is praying to issue a writ of Certiorari calling for the records relating to the order dated 24.12.2018 passed by the Second respondent in A.P.No.126 of 2010 and to quash the same.)

The Management,
Tamil Nadu State Transport Corporation
(Salem) Limited,
12, Ramakrishna Salai,
Salem - 7.

... Petitioner

Vs.

1.S.Murugesan
2.The Special Joint Commissioner
of Labour, Chennai.

... Respondents

This case came up for settlement before the Lok Adalat. Both the parties are present. Mr.D.Raghu, the learned counsel for the petitioner, Respondent No.1 is present in Lok Adalat and R2 is no appearance. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The first respondent worked as Trades Man in the petitioner's department. He was dismissed from service for unauthorised absence for about two years. The petitioner approached the Commissioner of Labour, Chennai, for approval of the order of the dismissal. The Commissioner of Labour refused to approve the order of the dismissal for the reasons stated in

his order. Therefore, the petitioner has come for a writ of certiorari with a prayer to quash the order of the Commissioner of Labour and pass such other further orders as may be deemed fit.

2.The writ petition has been sent to the Lok Adalat for effecting compromise between the parties. The officers of the petitioner's department and the first respondent are present today. Negotiatory talk was initiated and it was agreed by both the parties that instead of dismissal, the respondent will be compulsorily retired. Both the parties filed a joint compromise memo before this Adalat.

3.The gist of the compromise is that compulsory retirement will be given from the date of dismissal and pension will be payable from the date, on which, the proposal is approved by the Board.

4.In view of the above compromise, the writ petition stands disposed of as settled. Consequently, connected miscellaneous petition is closed. The Joint memo of compromise shall form part of this award.

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(Salem) Limited,
12, Ramakrishna Salai,
Salem – 7.

Counsel for the Petitioner

1.S.Murugesan

2.The Special Joint Commissioner
of Labour, Chennai.

Counsel for the Respondents



Member

To:The parties/Advocate concerned

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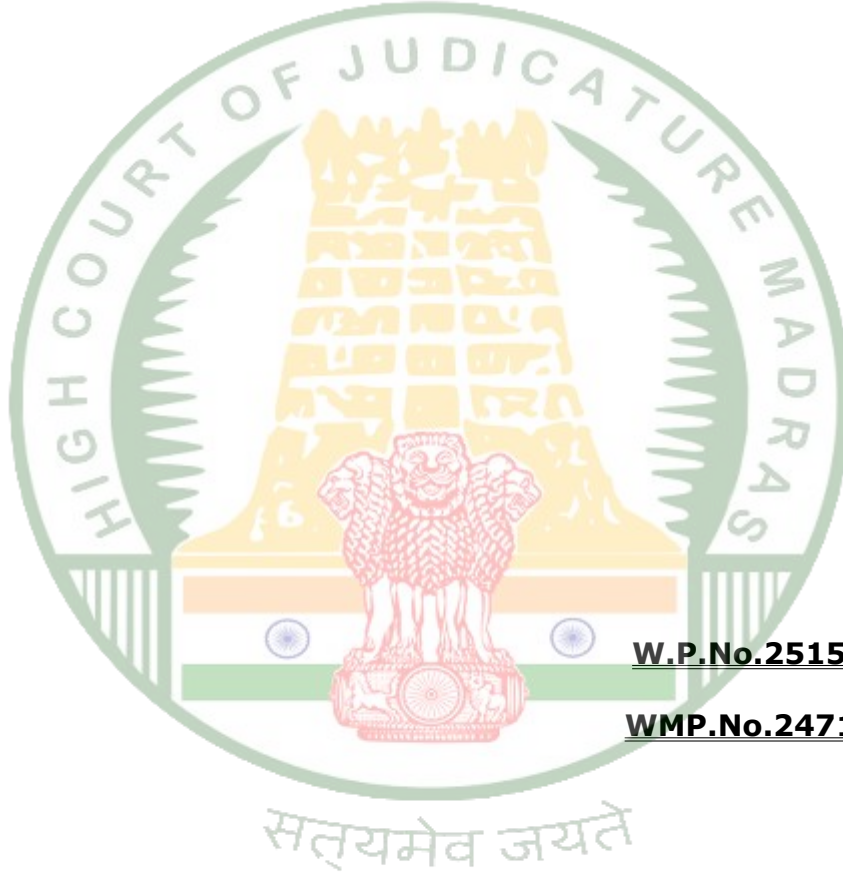
- 1.The Secretary, High Court Legal Services Committee, Chennai.
- 2.The Section Officer, V.R.Section, High Court, Madras.
- 3.The Section Officer, Lok Adalat Section, High Court, Madras.+2 copies

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MALAI SUBRAMANIAN, J. (Retd.)

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07.09.2021