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WP No.12993 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25-11-2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP No.12993 of 2014

And

MP No.1 of 2014

D.Gandhi

..

Petitioner

vs.

1.The Management,
Metropolitan Transport Corporation
(Chennai) Limited,
Anna Salai,
Pallavan Illam,
Chennai-600 002.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund,
Pallavan Salai,
Chennai-600 002.

..

Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to pay back wages from the date of dismissal to the date of retirement and



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pension along with other terminal benefits.

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For Petitioner : Mr.S.T.Varadarajulu
For Respondent-1 : Mr.R.Ramanlal,
Additional Advocate General
Assisted by Mr.M.Chidambaram.
For Respondent-2 : Mr.C.S.K.Sathish

ORDER

The relief sought for in the present writ petition is to direct the respondents to pay back wages from the date of dismissal to the date of retirement and pension along with other terminal benefits.

2. The parties arrived a settlement and accordingly the first respondent-Management passed Resolution No.162, which reads as under:-

“Resolved to authorise the Managing Director to reinstate 1) Thiru S.Jagadeesan, Driver, EDP No.D50184, 2) Thiru P.Ramamoorthy, DP-Driver, EDP No.D51970 and 3) Thiru C.Masilamani, Driver, EDP No. D52295 with continuity of service from the date of



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dismissal to the date of reinstatement notionally but without back wages based upon the Government Letter No.5370/C2/2021, dated 28.07.2021 and the PF contribution shall be subject to conditions in compliance of the direction of the Hon'ble High Court pending cases in WP Nos.537 of 2016, 18931 of 2016 and 33630 of 2016. Further, to accord approval to settle the retirement benefits to Thiru D.Gandhi, Conductor, EDP No.C10664 with continuity of service from the date of dismissal to the date of retirement notionally but without back wages based upon the Government Letter No.5370/C2/2021, dated 28.07.2021 and the PF contribution shall be subject to conditions in compliance of the direction of the Hon'ble High Court pending cases in WP Nos.18923 of 2016 and 12993 of 2014. Also to settle the death cum retirement benefits to the Legal Heirs of deceased Thiru A.Kathirvelu, Conductor, EDP No.C50562 with continuity of service from the date of dismissal to the date of death notionally but without back wages based upon the Government Letter No.5370/C2/2021, dated 28.07.2021 and



the PF contribution is subject to conditions in compliance of the direction of the Hon'ble High Court pending cases in WP Nos.18922 of 2016 and 37496 of 2016 as recommended by the Finance Committee.”

3. The petitioner-workman also filed a Memorandum of Undertaking (MoU) that he will not claim any further relief over and above the relief now agreed by the writ petitioner-Management. Thus, no further is required in respect of the grounds raised in the present writ petition.

4. The first respondent-Management has to act upon as per the Resolution passed by them, within a period of four weeks from the date of receipt of a copy of this order.



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5. Accordingly, the writ petition stands disposed of. However,

there shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Index : Yes/No.

Internet : Yes/No.

Speaking Order/Non-Speaking Order.

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To

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S.M.SUBRAMANIAM, J.

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