



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 16-10-2023

CORAM

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

W.A.No.839 of 2023

1.The Chennai Metropolitan Water Supply
and Sewerage Board,
rep.by its Board of Directors,
No.1, Pumping Station Road,
Chintadripet,
Chennai – 600 002.

2.The Managing Director,
Chennai Metropolitan Water Supply
and Sewerage Board,
No.1, Pumping Station Road,
Chintadripet,
Chennai – 600 002.

...

Appellants

-VS-

1.C.R.Sundaram

2.The Presiding Officer,
1st Additional Labour Court,
Chennai.

...

Respondents

Appeal under Clause 15 of the Letters Patent against the order, dated
06.06.2022, passed in W.P.No.6313 of 2011.



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For Appellants : Mr.Jerry V.V.Sundar

For Respondent 1 : Mr.Balan Haridas
for Mrs.R.Kamatchi Sundaresan

JUDGMENT

(By *S.Vaidyanathan,J.*)

Learned counsel for the respondent workman produced a copy of the Minutes of the Agenda of the appellant Board, dated 05.10.2023, modifying the punishment of "dismissal from service" to "compulsory retirement" and extending the benefit of gratuity and pension for the actual service rendered by the respondent workman. Minutes of the Board are scanned below for reference :

**MINUTES OF THE CIRCULATION AGENDA OF BOARD OF
DIRECTORS OF C.M.W.S.S. BOARD**

Res.No.188/2023
Dt:05.10.2023

Admn.- Vigilance Cell - Thiru.C.R.Sundaram, Revenue Collector(dismissed from the Service on the charges of misappropriation) – I.D.No.613 of 2000 filed by him – ordered to reinstate him into service – W.P.No.6313 of 2011 filed by the Board-Interim court order received – Amount Deposited by the Board as per the court order – M.P.No.1 of 2015 filed by him to withdraw part amount – Court orders received- Part amount withdrawn by the individual - Writ Petition dismissed with direction to settle terminal benefits- Writ Appeal No.839 of 2023 filed by the Board – Suggestion given by the Hon'ble High Court - Subject placed before the Board by circulation – Reg.

The Board took note of the details put forth in the Agenda under circulation and on the direction of the Hon'ble High court on 13.09.23 in W.A.No.839/2023 filed by the Board. The Board resolved

- a) to modify the punishment of "Dismissal from Service" to "Compulsory Retirement" and to provide Gratuity & Pension for the period actually served without back wages.*
- b) to inform the Hon'ble High Court about the decision of the Board to modify the punishment of "Dismissal from Service" to "Compulsory Retirement" and to provide Gratuity & Pension for the period actually served without back wages.*

DR.T.G.VINAY/05.10.2023,
MANAGING DIRECTOR.

//t.c.f.b.o//

S.A.O.(B.S.)

SECRETARY



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2. We appreciate the efforts taken by Mr.Kirlosk Kumar, I.A.S., Managing Director of the appellant Board, for assisting this Court through Video Conferencing and giving a finality to the litigation. We expect the management to settle the terminal benefits to the respondent workman within a period of two months from the date of receipt of a copy of this order.

3. Writ Appeal is disposed of accordingly. No costs. Consequently, the connected C.M.P.No.8014 of 2023 is closed.

Index : Yes/No
Internet : Yes/No
dixit

(S.V.N.,J.) (K.R.S.,J.)
16-10-2023

To

The Presiding Officer,
1st Additional Labour Court,
Chennai.



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S.VAIDYANATHAN,J.
AND
K.RAJASEKAR,J.

dixit

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