



W.P.No.5147 of 2017

HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI

National Lok Adalat organised by the High Court Legal Services Committee

Saturday, the 13th day of May 2023

NATIONAL LOK ADALAT AWARD

(Chapter VI and u/s 21 of Legal Services Authorities Act, 1987)

Presided over by

The Hon'ble Mr.JUSTICE K.KUMARESH BABU
and

Members

Mr.N.Balasubramanian, District Judge (Retired)

Mr.M.Muthukannan, Advocate

W.P.No.5147 of 2017

and

WMP No.5438 of 2017

The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its Managing Director,
New Railway Station Road,
Kumbakonam – 612 001.

.. Petitioner

Vs;.

1. The Special Deputy Commissioner of
DMS Campus, Anna Salai, Chennai.
 2. N.Manoharan (died)
 3. Vedhanayagi
 4. Vinodh
 5. Nithya
- (R3 to R5 substituted as LR's of the
deceased 2nd respondent vide order
dated 31.03.2023 made in WMP No.
1618 of 2022 in W.P.No.5147 of 2017)

.. Respondents

On representation of the counsel for both sides this case is taken up for settlement before the Lok Adalat. Both the parties are present. Mrs. S.Sathya Gandhi, the learned counsel for the Petitioner and Mr.M.Murali, Government Advocate for R1 and R3 to R5 appeared as party-



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in-person. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows :-

ORDER

This Writ Petition has been filed for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the order dated 03.08.2016 passed by the 1st respondent in Approval Petition No.413 of 2012 and quash the same, consequently, direct the 1st respondent to approve the order of the petitioner dated 03.07.2012, dismissing the 2nd respondent from service.

2. Today, when the matter was taken up for hearing, both the parties have filed a Joint Memo of Compromise dated 13.05.2023, before this National Lok Adalat, indicating the terms that had been arrived at between the parties, which are follows :

(i) Both the parties hereby agree to treat that the period from dismissal date upto expired date of the employee as continuity of service (03.07.2012 to 12.07.2016) and accept to treat this non-woring period as "No work No pay"

(ii) The 3rd respondent agree to receive the monthly family pension from the date of High Court order and accept to forego the pension arrears.

(iii) The appellant Corporation agree to enroll any one of legal heirs name in the compassionate ground appointment seniority register.

(iv) The 3rd respondent herein will have no other claim whatsoever against the appellant Corporation and accepts the above terms of settlement as full and final.

3. As regards Clause III, the respondents 3, 4 and 5 are present



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before the National Lok Adalat. The respondents 3 and 5 consented to include the name of the 4th respondent M.Vinodh to be enrolled into the list maintained by the Corporation by grant of compassionate appointment.

4. The said Joint Memo of Compromise shall form and parcel of this order. Accordingly, this Writ Petition is disposed of.

The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its Managing Director,
New Railway Station Road,
Kumbakonam – 612 001.
Petitioner

Counsel for the

Vs;.

1. The Special Deputy Commissioner of
DMS Campus, Anna Salai, Chennai.
2. N.Manoharan (died)
3. Vedhanayagi
4. Vinodh
5. Nithya

Counsel for the Respondents

This Lok Adalat award is passed in terms of the above settlement.

The full Court fee paid shall be refunded to the appellant in the manner provided under Section 69-A of the Tamil Nadu Court-Fees and Suits Valuation Act, 1955 and the Court Fees Act, 1870 as provided for under sub Sec.1 of Section 21 r/w 25 of LSA Act 1987 as amended in 1994.

Judge

Member

Member



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WEB COPY

Lpp/gba

K.KUMARESH BABU, J

Lpp/gba

To: The parties/Advocate concerned

Copy to:

1. The Special Deputy Commissioner of
DMS Campus, Anna Salai, Chennai.
2. The Secretary, High Court Legal Services Committee, Chennai.
3. The Section Officer, V.R. Section, High Court, Madras.
4. The Section Officer, Lok Adalat Section, High Court, Madras. +2 copies

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13.05.2023