



HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services Committee
Saturday, the 14th day of December 2024

LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE SUNDER MOHAN
and

Members

Mr.N.Balasubramanian, District Judge (Retd.)
Mr.S.Pushpakaran, Advocate

W.P.No.35276 of 2024
& WMP No.38188 of 2024

The Management
Metropolitan Transport Corporation,
No.2, Anna Salai,
Chennai - 2.

...Petitioner

Vs.

1.The Special Joint Commissioner of Labour,
DMS Compound,
Teynampet,
Chennai - 600 006.

2.M.S.S.Ganesh, T.M.
Employee No.A23948,
Block D-2, Plot No.28
Kentthiriyavigar, Parithipattu, Avadi,
Chennai - 600 071.

...Respondents

This case is taken up for settlement before the Lok Adalat. Both the parties are present. Mr.A.Vinothraj, learned counsel for the petitioner and Mr.M.Murali, learned Government Advocate for the first respondent and, Mr.J.Duraisamy, learned counsel for the second respondent are present.

TERMS OF SETTLEMENT



The present Writ Petition has been filed to issue appropriate Writ, Order or Direction and in particular issue a writ in the nature of Certiorarified Mandamus after calling for the records of the 1st respondent pertaining to his proceedings in A.P.No.570 of 2011, I.A.No.7 of 2021 dated 18.10.2023 and quash the same and consequently allow the approval petition filed by the petitioner management in A.P.No.570 of 2011.

2.The petitioner had dismissed the second respondent due to his continuous unauthorised absence by the order dated 03.12.2011. The petitioner sought for approval before the Special Joint Commissioner of Labour, Chennai, the first respondent herein, which was rejected. Challenging the order of first respondent, the petitioner/Transport Corporation had filed the present Writ Petition.

3.The parties have now arrived at compromise by which the petitioner has agreed on the request of the second respondent that the date of termination (i.e 03.12.2011) may be construed as the date of voluntary retirement and the petitioner would pay the retirement benefits for the period of service between 22.07.1992 to 03.12.2011. The parties have further agreed that the petitioner shall pay the retirement benefits to the 2nd respondent, within a period of twelve weeks from the date of receipt of copy of this order and the monthly pension computed accordingly.

4.Accordingly, this writ petition stands disposed of. No cost. Consequently, the connected Writ Miscellaneous Petition is closed.



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Chennai -2.

Counsel for the petitioner

M.S.S.Ganesh, T.M.

Counsel for respondent

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

The Court fee paid shall be refunded to the parties in the manner provided under 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

To: The parties/Advocate concerned

Copy to:

- 1.The Management, Metropolitan Transport Corporation, No.2, Anna Salai, Chennai - 2.
- 2.The Special Joint Commissioner of Labour, DMS Compound, Teynampet, Chennai - 600 006.
- 3..Secretary, High Court Legal Services Committee, Chennai.
- 4.The Section Officer, V.R.Section, High Court, Madras.
- 5.The Section Officer, Lok Adalat Section, High Court, Madras (+2 copies)



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SUNDER MOHAN. J.,

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W.P.No.35276 of 2024



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14.12.2024