



W.P.No.1717 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

CORAM

THE HONOURABLE MRS.JUSTICE **N.MALA**

W.P.No.1717 of 2019

K.Joseph Augustine

... Petitioner

Vs

- 1.Joint Commissioner of Labour,
Appellate Authority under the Payment of Gratuity Act, 1972,
Coimbatore – 18.
- 2.Assistant Commissioner of Labour,
Controlling Authority under the Payment of Gratuity Act, 1972,
Salem – 7.
- 3.Superintending Engineer,
Purchase & Administration,
Mettur Thermal Power Station,
Mettur Dam – 6.
- 4.Tamil Nadu Generation and Distribution Corporation Ltd.,
Represented by its Chairman cum Managing Director,
10th Floor, NPKRR Maaligai,
144, Anna Salai,
Chennai – 600 002.



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5.State of Tamil Nadu,
Represented by its Principal Secretary,
Energy Department,
Fort St.George,
Chennai – 600 001.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of respondent No.1 in A.G.A.No.17 of 2011 quash the order dated 25.08.2011 passed in A.G.A.No.17 of 2011 and further direct the respondent No.3 to revise the pension of the petitioner and pay the arrears of pension and gratuity for the period of service between 01.07.1987 till 30.04.1999.

For Petitioner : Ms.V.Pushpa

For Respondents : Mr.P.Sanjaygandhi
Government Advocate [R1 & R5]
No appearance [R2]
Mr.G.Anandgopalan [R3 & R4]

ORDER

This Writ petition has been filed by the petitioner seeking to quash the order dated 25.08.2011 passed in A.G.A.No.17 of 2011 and further, direct the third respondent to revise the pension of the petitioner and pay the arrears of pension and gratuity for the period of service between 01.07.1987



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till 30.04.1999.

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2. When the matter is taken up for hearing today, the learned counsel appearing for the parties have represented that the matter has been settled and they have also filed a joint memo dated 27.03.2024 before this Court.

The terms of the joint memo are as follows :-

“The petitioner agrees that he is not entitled to the claims made in the writ petition and he shall not press the prayers made in this writ petition.

The 3rd respondent shall pay a sum of Rs.25,000/- to the petitioner within 4 weeks from the date of the order passed by this Hon'ble Court in this writ petition as good will payment more to give a quietus to this litigation.

The petitioner further agrees that on payment of Rs.25,000/- by the 3rd respondent, the petitioner has no further claims against the 3rd respondent whatsoever for any contractual or statutory monetary amount.

Both parties agree for disposal of the Writ Petition in terms of this Joint Memo filed by the counsels.”

3. In view of the above joint memo filed by the parties, this writ



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petition is disposed of in terms of the joint memo dated 27.03.2024. The joint memo of settlement dated 27.03.2024 shall form part and parcel of this order. No costs.

27.03.2024

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

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 5. The Principal Secretary,
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N.MALA,J.,

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