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HIGH COURT LEGAL SERVICES COMMITTEE, CHENNAI
National Lok Adalat organised by the High Court Legal Services
Committee

Saturday, the 13th day of December, 2025

NATIONAL LOK ADALAT AWARD

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

Presided over by

The Hon'ble Mr.JUSTICE M.JEYAPPAUL (RETD.)

and

Members

Mr.P.Rosiah, District Judge (Retd.)

Mr.S.Arokiamani Raj, Advocate

W.P.No.23131 of 2021

(Writ Petition filed to issue a Writ of Certiorarified Mandamus, call for the records pertaining to the order dated 15.04.2021 passed by the second respondent in Approval Petition No.51 of 2019 and quash the same, consequently direct the second respondent to approve the order to the petitioner dated 31.01.2019.)

The Management
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited, Pudukottai Region,
51/1, Pillai Thaneer Panthal,
Thirumayam Road, Pudukottai - 622 001.

... Petitioner

Vs.

1. R.Mohamedkhan

2. The Special Joint Commissioner of Labour,
DMS Campus, Anna Salai, Chennai
Respondents

...



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This case came up for settlement before the National Lok Adalat. Both the parties are present. Mr.V.Murali Vinoth, the learned counsel for the Petitioner and Mr.S.Santhoshkumar, the learned counsel for the first respondent are present. After mutual discussion, negotiation, mediation and conciliation between both parties, they arrived at a compromise to settle the matter as follows:

TERMS OF SETTLEMENT

The first respondent-R.Mohamedkhan was dismissed from service by an order dated 31.01.2019. The Special Joint Commissioner of Labour disapproved the order of dismissal passed by the writ petitioner herein. Aggrieved by the order passed by the Special Joint Commissioner of Labour, Chennai, the present writ petition was filed by the management.

2. Both the parties having initiated negotiation successfully arrived at a settlement of all the issues arisen in this case and have filed a joint memo before the lok adalat which is extracted as under:



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IN THE COURT OF JUDICATURE OF MADRAS

(Special Original Jurisdiction)

WP. No. 23131 OF 2021

The Management,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Pudukottai Division,
Pudukottai.

... Petitioner

-Vs-

1. R. Mohamedkhan,
S/o. Razak,
Residing at No.1/98-B, Muslim Street,
Keeramangalam- West Post,
Alangudi Taluk, Pudukottai District.

... 1st Respondent

2. The Special Deputy Commissioner of Labour,
Chennai - 6.

... 2nd Respondent

JOINT MEMO FILED BY BOTH PARTIES

The 1st respondent who was working as driver in the Petitioner Corporation was dismissed from service by an order dt.31.01.2019 after legal formalities for having involved in a Long Absent Case.

For the approval of dismissal, the Petitioner corporation filed approval petition under section 33 (2) (b) of the I.D. Act 1947 before the Special Deputy Commissioner of Labour, Chennai in AP No. 51/2019. The approval Petition was rejected by The Special Deputy Commissioner of Labour, Chennai on 15.04.2021.

The petitioner corporation filed Writ petition in No.23131 of 2021 before the Hon'ble High court against the order of the Special Deputy Commissioner of Labour, Chennai.

Pending Writ Petition the 1st respondent come forward a settlement with the Management.



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After deliberation and negotiation both the parties have arrived at a settlement in the following terms.

1. Both the parties viz., the petitioner/Management and the first Respondent/Employee have agreed with Continuity of service (Notional) without back wages and other benefits, the period from the date of dismissal on 31.01.2019 to till the date of Reinstatement on 24.01.2025 (without prejudice to the pending WP) to be considered as "no work no pay" and the period will not be taken up for the calculation of pension and other benefits.
2. To pay difference amount of salary from the reinstatement on 24.01.2025.
3. The petitioner of 17(b) wages paid to him will not be recovered in future.
4. The respondent herein will have no other claim what so ever against the petitioner herein and he accepts the terms of the above settlement full and final.

It is therefore prayed that this Hon'ble Court may be pleased to accept the above memorandum of settlement and dispose the above Writ petition.

Both the parties signed this Joint Memo in presence of Advocates on both side to settle the case amicably.

13 day of Dec, 2023.

For Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Managing Director
Petitioner

R. G. S. S. S. S. S.
1st Respondent

Counsel for Petitioner

Counsel for 1st Respondent

4. As a result, the award is passed hereby in terms of the compromise arrived at between the parties. The joint memo filed by both the parties shall form part of the order.



5. Consequently, the writ petition stands disposed of. The court fee paid by the writ petitioner be refunded.

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The Management
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited, Pudukottai Region,
51/1, Pillai Thaneer Panthal,
Thirumayam Road, Pudukottai - 622 001.

... Petitioner

Vs.

1. R.Mohamedkhan

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



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Mr.JUSTICE M.JEYAPPAUL (RETD.)

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To

The parties/Advocate concerned

Copy to:

1. The Management

Tamil Nadu State Transport Corporation
(Kumbakonam) Limited, Pudukottai Region,
51/1, Pillai Thaneer Panthal,
Thirumayam Road, Pudukottai - 622 001.

2. The Special Joint Commissioner of Labour,
DMS Campus, Anna Salai, Chennai

3.The 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.

W.P.No.23131 of 2021

13.12.2025