



W.P.(MD).No.27393 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 22.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27393 of 2023

S.Kathiresan

... Petitioner

Vs.

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

2. The General Manager,
Tamil Nadu State Transport Corporation
Kumbakonam Limited,
Karaikudi Region,
Managiri Post,
Maruthapathi, Karaikudi,
Sivagangai District.

3. The Administrator,
Tamil State Transport Corporation
Employees' Pensions Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 2.

... Respondents



W.P.(MD).No.27393 of 2023

WEB COPY

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to disburse the petitioner's difference amount of Gratuity, Commutation Surrender Leave, Pensions arrears and to revise pensions on the basis of 12(3) Settlement, dated 13.04.2015 along with 6% interest.

(Prayer is amended vide order of this Court, dated 22.11.2023 in W.M.P(MD) No.23798 of 2023 in W.P(MD) No.27393 of 2023)

For Petitioner	: Mr.K.Gokul
For Respondents	: Mr.K.Ramaiah Standing Counsel – for R1 and R2
	: Mr.S.C.Herold Singh Standing Counsel – for R3

ORDER

The present writ petition has been filed by a retired Checking Inspector of the respondent Transport Corporation seeking a mandamus for disbursement of the difference of Gratuity, Commutation, Surrender Leave, Pensions arrears and to revise pensions on the basis of 12(3) Settlement.



W.P.(MD).No.27393 of 2023

WEB COPY

2. According the writ petitioner, he had attained superannuation on 31.03.2014. After his retirement, the Trade Union and the Management entered into a Settlement under Section 12(3) Industrial Dispute Act, on 13.04.2015 and as per the said Settlement, the monetary benefits will be granted with effect from 01.09.2013. Seeking said benefits, the petitioner has sent representation to the respondents on 16.10.2023. In view of the non- consideration of the said representation, this present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner and the leaned Standing Counsel appearing for the respondents.

4. In view of the above said facts, the respondents 2 and 3 are directed to disburse the eligible amount to the writ petitioner along with interest at 6% per annum from the due date till the date of payment. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



W.P.(MD).No.27393 of 2023

5. With the above said observations, this writ petition stands disposed

of There shall be no order as to costs.

22.11.2023

2/2

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
ebsi

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
New Railway Station Road,
Kumbakonam – 612 001.
2. The General Manager,
Tamil Nadu State Transport Corporation
Kumbakonam Limited,
Karaikudi Region,
Managiri Post, Maruthapathi,
Karaikudi,
Sivagangai District.
3. The Administrator,
Tamil State Transport Corporation
Employees' Pensions Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 2.



WEB COPY



W.P.(MD).No.27393 of 2023

R.VIJAYAKUMAR,J.

ebsi

W.P(MD)No.27393 of 2023

22.11.2023

2/2