



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 31.08.2016
CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD) .No.16477 of 2016

WEB COPY

P.Arumugam

... Petitioner

Vs

Tamil Nadu State Transport Corporation,
(Madurai) Limited,
rep. By its Managing Director,
Madurai.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the Respondent to pay all the terminal benefits payable to the petitioner including Salary arrears in terms of settlement from 01.09.2013 to 30.09.2014, Gratuity and Leave Salary in terms of Settlement 12(3) of the Industrial Disputes Act dated 13.04.2015 together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time that may be stipulated by this Hon'ble Court.

For petitioner : Mr.A.Rahul

For Respondents : Mr.A.P.Muthupandian

ORDER

The petitioner has come to this Court seeking a writ of mandamus directing the respondent to pay all the terminal benefits payable to the petitioner including Salary arrears in terms of settlement from 01.09.2013 to 30.09.2014, gratuity and leave salary in terms of settlement under Section 12(3) of the Industrial Disputes Act dated 13.04.2015 together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment.

2.The petitioner served as a Helper in the respondent Corporation from 01.12.1981 and after reaching the age of superannuation, he retired from service on 30.09.2014. But his grievance is that a settlement was arrived under Section 12(3) of the Industrial Disputes Act, 1947, with regard to fixation of pay of the employees of the Transport Corporation and as per the settlement, dated 13.04.2015, the respondents have agreed to give revised basic scale of pay. In the meanwhile, he has also retired from service. However, he has also sent a representation to the respondents and the same has also not been considered sofar.

3. Mr.D.Sivaraman, Learned Standing Counsel for the respondents Corporation would submit that since the petitioner retired from service on 30.09.2014, his representation, dated 22.08.2016 would be considered by the respondent.



4. However, considering the case of the petitioner, this Court is of the view that in any event, since the representation of the petitioner is pending before the respondent, it is for the respondents to consider the same and pass appropriate orders. Hence, the respondents are directed to consider the representation of the petitioner, dated 22.08.2016 and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (C.O)

/True Copy/

Sub-Assistant Registrar

+One cc to Mr.A.Rahul , Advocate, SR.No.49352

vs
RL/2C/2P/CK/21/9/2016 (1/5)

W.P (MD) .No.16477 of 2016

31.08.2016