



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.17582 of 2016

K.Philomin

... Petitioner

vs.

1)The Tamil Nadu State Transport Corporation(Kumbakonam) Ltd.,
Rep. by its Managing Director,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

2)The General Manager,
The Tamil Nadu State Transport Corporation(Kumbakonam) Ltd.,
Karaikudi Region,
Maruthupathi, Karaikudi,
Sivagangai.

3)The Administrator,
The Tamil Nadu State Transport Corporation Pension Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.

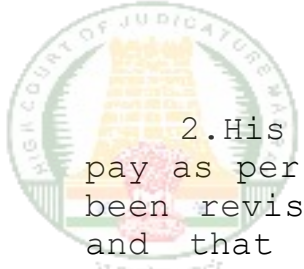
... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including arrears of 10% Dearness allowance, arrears of monthly pension during March and April 2014 and increased wages payable to him as per the settlement dated 13.04.2015 with effect from 01.09.2013 U/s 12(3) of I.D Act based on the representation dated 28.06.2016 with reasonable rate of interest within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.G.M.Xavier
For R1 & R2 : Mr.D.Sivaraman
For R3 : Mr.A.P.Muthupandian

ORDER

Initially, the petitioner was employed as a Conductor in the respondents Transport Corporation and later on, promoted as Selection Grade Conductor. He retired from service on 28.02.2014.



2.His grievance is that he is entitled to revision of scale of pay as per the Settlement dated 13.04.2015. Since his pay has not been revised, he made a representation dated 28.06.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to settle his retirement benefits including arrears of 10% Dearness allowance, arrears of monthly pension during March and April 2014 and increased wages payable to him as per the settlement dated 13.04.2015 with effect from 01.09.2013 under Section 12(3) of I.D Act based on his representation dated 28.06.2016 with reasonable rate of interest within the time that may be stipulated by this Court.

3.Learned counsels for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 28.06.2016 and to pass orders.

4.Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 28.06.2016, in the light of the Settlement dated 13.04.2015 and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub Assistant Registrar

nbi

To

+1cc to Mr.D.Sivaraman, Advocate Sr.No. 53402

+1cc to Mr.G.M.Xavier Advocate Sr.No. 53717

JAM/24.10.16/SKS RR/2p-3c

W.P (MD) No.17582 of 2016

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