



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 06.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.19402 of 2016

WEB COPY

V.Paulraj

... Petitioner

vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai Ltd.,)
Bye-pass Road,
Madurai Town.

... Respondent

PRAYER Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to pay all the terminal benefits payable to the petitioner including Gratuity, commuted value, salary arrears, earned Leave, encashment, leave salary encashment 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 retirement to till the date of payment within the time frame that may be stipulated by this Court.

For Petitioner : Mr.M.Senthilkumar

For Respondent : Mr.A.P.Muthupandian

ORDER

Initially, the petitioner was employed as a Driver in the respondents Transport Corporation and later on, promoted as Special Grade Driver. He retired from service on 30.06.2014.

2.The grievance of the petitioner is that he is entitled to get the terminal benefits payable to the petitioner including Gratuity, commuted value, salary arrears, earned Leave encashment, leave salary encashment in terms of settlement under Section 12(3) of the Industrial Disputes Act dated 13.04.2015. Since the same have not been paid, he made a representation dated 26.09.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to pay the terminal benefits payable to the petitioner as mentioned supra together with 18% interest per annum from the date of retirement to till the date of payment.

3.Learned counsel for the respondent submitted that it is agreeable for the respondent to consider the representation of the petitioner dated 26.09.2016 and to pass orders.



4. Recording the above submission, this Writ Petition is disposed of directing the respondent to consider the representation of the petitioner dated 26.09.2016, in the light of the settlement under Section 12(3) of the Industrial Disputes Act 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 (CS I)

/True Copy/

Sub Assistant Registrar

To

1cc to Mr.M.Senthilkumar, Advocate in SR 60302

mj

anr/km/21.10.2016/2p/2c

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