



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.19449 of 2016

K.Vijayarathinam

... Petitioner

vs.

1.The Tamil Nadu State Transport
corporation (Kumbakonam) Ltd.,
rep.by its Managing Director,
Kumbakonam.

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

3.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House, 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 pay the entire eligible terminal benefits payable to the petitioner including salary arrears in terms of settlement from 01.09.2013 to 31.05.2014 Gratuity, Commuted value of pension and Earned 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.

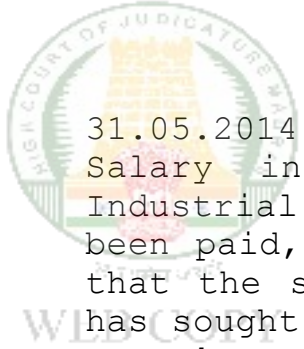
For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

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 31.05.2014.

2.The grievance of the petitioner is that he is entitled to get the terminal benefits payable to the petitioner including salary arrears in terms of settlement from 01.09.2013 to



31.05.2014 Gratuity, Commuted value of pension and Earned Leave Salary 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 31.08.2016 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 respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 31.08.2016 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 31.08.2016, 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(AE)

/True Copy/

Sub Assistant Registrar

mj

+1cc to Mr.A.Rahul Advocate Sr.No. 59779

+1cc to Mr.D.Sivaraman Advocate Sr.No. 59813

JAM/14.11.16/GSV-PM/ 2p-3c

W.P(MD)No.19449 of 2016

06.10.2016