



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.20257 of 2016

V.Manavalagan

... Petitioner

vs.

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

... Respondent

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 as per the settlement dated 13.04.2015 under Section 12(3) of the Industrial Disputes Act with effect from 01.09.2013 and order of this Hon'ble Court in W.A(MD)No.770/2015, dated 27.07.2015 based on his representation dated 11.02.2015 with reasonable rate of interest within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.G.M.Xavier
For Respondent : Mr.D.Sivaraman

ORDER

The petitioner was employed as Selection Grade Tradesman in the respondent Transport Corporation; he retired from service on 28.02.2014; his grievance is that he is entitled to revision of scale of pay in terms of the settlement dated 13.04.2015 available under Section 12(3) of the Industrial Disputes Act, 1947; since his pay was not revised, he made a representation dated 11.12.2015 therefor; that representation was not considered and therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to settle his retirement benefits as per the settlement dated 13.04.2015 effected under Section 12(3) of the Industrial Disputes Act with effect from 01.09.2013 and order of this Hon'ble Court in W.A(MD)No.770/2015, dated 27.07.2015, based on his representation dated 11.02.2015 with reasonable rate of interest and within the time that may be stipulated by this Court.



2.Learned counsel for the respondent submitted that it is agreeable for the respondent to consider the representation of the petitioner dated 11.12.2015 and to pass orders.

3.Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 11.12.2015, in the light of the terms of settlement dated 13.04.2015 effected as per Section 12(3) of the Industrial Disputes Act, 1947 and also in terms of the judgment in W.A(MD)No.770/2015 dated 27.07.2015 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(Crl)

/True copy/

Sub Assistant Registrar

To

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

+1 cc to M/s.D.Sivaraman, Advocate in SR.No. 62801

+1 cc to M/s.G.M.Xavier, Advocate in SR.No. 62692

NBI

CSL/SS-2/18.11.2016: 2P/4C

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