



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.20313 of 2016

S.Muniasamy

... 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.,
Karaikudi Region,
Karaikudi.

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 revise the petitioner's pay in the scale of pay of Rs.9300-34800+4300/- with effect from 01.09.2010 in accordance with G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and to give him further pay revision benefit with effect from 01.09.2013 in terms of settlement under Section 12(3) of I.D. Act dated 13.04.2015 and further directing the respondents to disburse difference in salary from 01.09.2010 to 31.01.2014 and difference in retirement benefits with interest at the rate of 18% per annum with effect from 31.01.2014 to till the date on which the above monetary benefits are settled to him.

For Petitioner	: Mr.A.Rahul
For R1 & R2	: Mr.D.Sivaraman
For R3	: Mr.A.P.Muthupandian

**ORDER**

The petitioner was employed as Senior Checking Inspector in the respondents Transport Corporation; he retired from service on 31.01.2014; his grievance is that he is entitled to revision of scale of pay as per G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also the settlement dated 13.04.2015 under Section 12 (3) of the Industrial Disputes Act, 1947; since his pay was not revised, he made a representation dated 08.04.2016 therefor; that representation was not considered and therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to revise his pay in the scale of pay of Rs.9300-34800+4300/- with effect from 01.09.2010 in accordance with G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and to give him further pay revision benefit with effect from 01.09.2013 in terms of settlement under Section 12(3) of I.D. Act dated 13.04.2015 and further directing the respondents to disburse difference in salary from 01.09.2010 to 31.01.2014 and difference in retirement benefits with interest at the rate of 18% per annum with effect from 31.01.2014 to till the date on which the above monetary benefits are settled to him.

2.Learned counsels for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 08.04.2016 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 08.04.2016, in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and the settlement dated 13.04.2015 under Section 12(3) of the Industrial Disputes Act, 1947 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

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 62897
+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 62808

NBI
TE/KM : 10/11/2016 : 2P/3C