



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.20911 of 2016

T.Samythevar

... Petitioner

vs.

1. The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli - 627 011.

2. The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the respondent to settle the petitioners retirement benefits including Gratuity Earned Leave Wages for 112.5 days Medical Leave Wages for 28 days as on 31.08.1998 and Dearness Allowance payable to him along with monthly pension as per the settlement dated 13.04.2015 U/S 12(3) of ID Act w.e.f. 01.09.2013 with 18% rate of interest within the time that may be stipulated by this Court.

For Petitioner	: Mr.G.M.Xavier
For R - 1	: Mr.K.Sathiya Singh
For R - 2	: Mr.A.P.Muthupandian

ORDER

The petitioner was employed as Traffic Inspector in the respondents Transport Corporation; he retired from service on 28.02.2014; his grievance is that he is entitled to get the retirement benefits including Gratuity, Earned Leave Wages for 112.5 days Medical Leave Wages for 28 days as on 31.08.1998 and Dearness Allowance payable to him along with monthly pension in terms of the Settlement dated 13.04.2015 under Section 12(3) of the Industrial Disputes Act, 1947; since the same has not been



paid, he made representations dated 04.10.2016 and 17.10.2016 therefor; that representations were not considered and therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to settle the retirement benefits as mentioned above with 18% interest per annum based on the said settlement.

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2.Learned counsel for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 17.10.2016 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 17.10.2016, in the light of the terms of settlement dated 13.04.2015 extended into 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 (AS)

/True Copy/

Sub Assistant Registrar

To

1. The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli - 627 011.
 2. The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai.
- + 1 CC TO Mr.G.M.XAVIER, ADVOCATE IN SR No. 64620
+ 1 CC TO Mr.K.SATHIYA SINGH, ADVOCATE IN SR No. 64929

MJ
TE/GSV-PM : 23/11/2016 : 2P/5C

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01.11.2016