



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P (MD) No.21071 of 2016

S.Valayanthirajan

.. Petitioner

Vs.

- 1.The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.
Rep. by its Managing Director, Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region, Maruthupathi, Karaikudi, Sivagangai.
- 3.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai, Chennai. .. Respondents

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 including Commutation of Pension and other benefits payable to him as per the settlement dated 13.04.2015 U/S 12(3) of I.D. Act w.e.f. 01.09.2013 based on the petitioner's representation dated 28.10.2016 with reasonable rate of interest.

For Petitioner	: Mr.G.M.Xavier
For Respondents 1 and 2	: Mr.D.Sivaraman
For Respondent No.3	: Mr.A.P.Muthupandian

ORDER

Initially, the petitioner was employed as a Helper in the respondents Transport Corporation and later on, promoted as SLGTM. He retired from service on 31.01.2015.

2.The grievance of the petitioner is that he is entitled to revision of scale of pay in the post of SLGTM as per 12(3) settlement dated 13.04.2015. Since his pay has not been revised, he made a representation dated 28.10.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Commutation of Pension and other benefits payable to him as per the settlement



dated 13.04.2015, under Section 12(3) of I.D. Act w.e.f. 01.09.2013 based on the petitioner's representation dated 28.10.2016 with reasonable rate of interest.

3.The learned counsel for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 28.10.2016 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 28.10.2016, in the light of 12(3) Settlement 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

/True copy/

Sub Assistant Registrar

To

1. The Managing Director,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.
Karaikudi Region, 27, New Railway Station Road,
Kumbakonam.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region, Maruthupathi, Karaikudi, Sivagangai.
- 3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai, Chennai.

+1 CC to Mr.D.SIVARAMAN, Advocate, SR No.66246
+1 CC to Mr.G.M.XAVIER, Advocate, SR No.65830

**ORDER MADE IN
W.P(MD)No.21071 of 2016**

smn

SH/SKS-RR:21.11.2016:2P/6C