



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2016

CORAM :

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

W.P(MD)No.21412 of 2016

R.Arumugam

.. Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Rep. by its Managing Director,
Tirunelveli Region, Tirunelveli - 627 011.

2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli - 627 003. .. 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 difference amount of Gratuity Rs.1,32,155/- and pending pension amount for 5 years payable to him as per the settlement dated 22.01.2011 u/s 12(3) of ID Act w.e.f. 01.09.2010 payable to him with reasonable rate of interest.

For Petitioner : Mr.G.M.Xavier
For Respondents : Mr.K.Sathiyasingh

ORDER

Initially, the petitioner was employed as a Conductor in the respondents Transport Corporation and later on, promoted as Senior Checking Inspector. He retired from service on 31.12.2012.

2.The grievance of the petitioner is that he is entitled to revision of scale of pay in the post of Senior Checking Inspector as per 12(3) settlement dated 22.01.2011. Since his pay has not been revised, he made a representation dated 07.10.2016 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 difference amount of Gratuity Rs.1,32,155/- and pending pension amount for five years payable to him as per the settlement dated 22.01.2011 u/s 12(3) of ID Act w.e.f., 01.09.2010 payable to him 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 07.10.2016 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 07.10.2016, in the light of 12(3) Settlement dated 22.01.2011 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 (Writs)

/True copy/

Sub Assistant Registrar

To

1.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Rep. by its Managing Director,
Tirunelveli Region, Tirunelveli - 627 011.

2.The General Manager,
Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region, Tirunelveli - 627 003.

+1 CC to Mr.G.M.XAVIER, Advocate, SR No.66818

+1 CC to Mr.K.SATHIYA SINGH, Advocate, SR No.67750

**ORDER MADE IN
W.P(MD)No.21412 of 2016**

smn
SH/SKS-RR:21.11.2016:2P/5C