



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22499 of 2016

V.Muthulakshmi

...Petitioner

vs.

1.Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

3.The Administrator, Tamil Nadu State
Transport Corporation
Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai, Chennai -2.

...Respondents

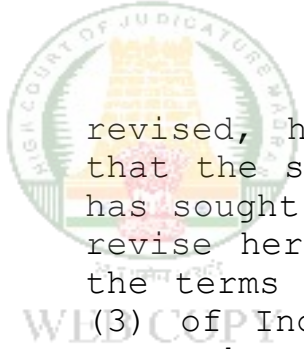
Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the Respondents to revise pay of the petitioner for the period from 01.09.2013 to 28.02.2014 based on the terms of settlement dated 13.04.2015 entered under Section 12(3) of Industrial disputes Act 1947 and further directing the Respondents to pay her the difference amount in her salary for the period from 01.09.2013 to 28.02.2014 and to pay her the difference in retirement benefits including monthly pension gratuity leave salary commuted value of pension and all other attendant benefits payable from 01.03.2014 to till date together with interest at the rate of 18% per annum based on the settlement.

For Petitioner : Mr.A.Rahul
For R1 & R2 : Mr.D.Sivaraman
For R - 3 : Mr.A.P.Muthupandian

ORDER

The petitioner was employed as a Canteen Attender with effect from 05.10.1987 in the respondents Corporation. She retired from service on 28.02.2014.

2. The grievance of the petitioner is that she is entitled to revision of scale of pay in the post of Canteen Attender as per 12 (3) settlement dated 13.04.2015. Since her pay has not been



revised, he made a representation dated 26.09.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to revise her for the period from 01.09.2013 to 28.02.2014 based on the terms of settlement dated 13.04.2015 entered under Section 12 (3) of Industrial disputes Act 1947 and further directing the respondents to pay her the difference amount in her salary for the period from 01.09.2013 to 28.02.2014 and to pay her the difference in retirement benefits including monthly pension gratuity leave salary commuted value of pension and all other attendant benefits payable from 01.03.2014 to till date together with interest at the rate of 18% per annum based on the settlement.

3.Learned counsel for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 26.09.2016 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 26.09.2016, 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(T&P)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

3.The Administrator, Tamil Nadu State
Transport Corporation
Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai, Chennai -2.

+1cc to M/s.D.Sivaraman, Advocate in SR.72168

+1cc to M/s.A.Rahul, Advocate in SR.72114

W.P (MD) No.22499 of 2016
23.11.2016