



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22824 of 2016

V.Kalaiivanan

... 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.,
Pudukottai Region,
Pudukottai.

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

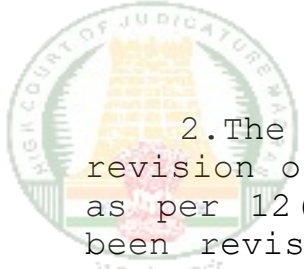
... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the Respondents to revise the petitioner's pay with effect from 01.09.2013 in terms of settlement entered under Section 12(3) of the I.D.Act dated 13.04.2015 and to pay him arrears of salary from 01.09.2013 to 30.06.2014 and difference in retirement benefits payable from 01.07.2014 together with interest at the rate of 18% per annum within the time stipulated by this Court.

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

ORDER

Initially, the petitioner was employed as a Conductor in the respondents Transport Corporation and later on, promoted as Selection Grade Conductor. He retired from service on 30.06.2014.



2.The grievance of the petitioner is that he is entitled to revision of scale of pay in the post of Selection Grade Conductor as per 12(3) settlement dated 13.04.2015. Since his pay has not been revised, he made a representation dated 14.10.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to to revise his pay with effect from 01.09.2013 in terms of settlement entered under Section 12(3) of the Industrial Act dated 13.04.2015 and to pay him arrears of salary from 01.09.2013 to 30.06.2014 and difference in retirement benefits payable from 01.07.2014 together with interest at the rate of 18% per annum.

3.Learned counsel for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 14.10.2016 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 14.10.2016, 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 (CO)

/True Copy/

Sub Assistant Registrar

mj

To,

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

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

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

+1CC to Mr.A.Rahul, Advocate Sr.No.74177

+1CC to Mr.D.Sivaraman, Advocate Sr.No.74559

GJM/KM/10.1.17-2p-7C

W.P (MD) No.22824 of 2016
30.11.2016 (2/2)