

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. Nos.12112 & 12113 of 2017

R. Kumar ... Petitioner in WP No.12112/2017

K. Panneerselvam ... Petitioner in WP No.12113/2017

vs.

1 The Managing Director
Tamil Nadu State Transport Corporation (Salem) Ltd.
No.12, Ramakrishna Road
Salem 636 007

2 The Administrator
Tamil Nadu State Transport Corporation (Salem) Ltd.
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai
Chennai 600 002

... Respondents in both WPs

Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to pay all the monetary benefits which the petitioners are entitled to, pursuant to the 12th Wage Settlement dated 13.04.2015 entered into between the employees and Management of the first respondent Corporation under Section 12(3) of the Industrial Disputes Act, 1947 with interest at 12% per annum within a stipulated time.

For petitioner
in both WPs

Mr. A. Selvaraju

For respondents
in both WPs

Mr. R.K. Gandhi
Standing Counsel

COMMON ORDER

Mr. R.K. Gandhi, learned Standing Counsel, accepts notice for the respondents. With consent, these writ petitions are taken up for final disposal.

2 These writ petitions have been preferred seeking a writ of mandamus directing the respondents to pay all the monetary benefits, which the petitioners are entitled to, pursuant to the 12th Wage Settlement dated 13.04.2015 entered into between the employees and Management of the first respondent Corporation under Section 12(3) of the Industrial Disputes Act, 1947, with interest at 12% per annum within a stipulated time.

3 While the petitioner in W.P. No.12112 of 2017 joined the respondent Transport Corporation on 27.01.1980 as Driver, the petitioner in W.P.No.12113 of 2017 joined as Security on 23.01.1989. While the former was promoted as Senior Driving Instructor and retired as such on reaching the age of superannuation on 28.02.2014, the latter was promoted as Chief Security and retired as such on reaching the age of superannuation on 30.04.2014.

4 It is their claim that there was a Wage Settlement entered into between the employees and the Management of the first respondent Transport Corporation on 13.04.2015, which has been implemented with retrospective effect from 01.09.2013 revising the salary and other benefits; but, the first respondent Transport Corporation has not extended the benefit of the said Settlement dated 13.04.2015 giving retrospective effect from 01.09.2013; therefore, the present writ petitions have been preferred seeking the aforestated relief.

5 Mr. R.K. Gandhi, learned Standing Counsel for the respondent Transport Corporation, submitted that the petitioners' representation dated 28.03.2017 in this regard will be duly considered on merits and in accordance with law.

6 Recording the aforesaid submission made by the learned Standing Counsel for the respondent Transport Corporation, the first respondent is directed to consider and pass orders on the petitioners' representations dated 28.03.2017 on their own merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, these writ petitions stand disposed of. Costs made easy.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

cad
To

- 1 The Managing Director
Tamil Nadu State Transport Corporation (Salem) Ltd.
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Salem 636 007
- 2 The Administrator
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Pallavan Salai
Chennai 600 002

+2cc to M/S.A.Selvaraju, Advocate Sr.40472

+2cc to M/S.R.K.Gandhi, Advocate Sr.40834 & 30835

W.P. Nos.12112 & 12113 of 2017

rsk[co]
srg 20/06/2017

सत्यमेव जयते

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