



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P (MD) No.11458 of 2017

R.Sadhasivam

... Petitioner

Vs.

1.The Tamilnadu State Transport Corporation,
(Kumbakonam) Ltd.,
rep. By its Managing Director, Kumbakonam.

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

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

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, to refix and revise petitioner's pay for the period from 01.09.2013 to 07.09.2013 based on the terms of settlement dated 13.04.2015 entered under Section 12(3) of Industrial Disputes Act, 1947 by giving pay revision at the rate of 5.5 % and further directing the Respondents to pay him the difference amount in petitioner's salary for the period from 01.09.2013 to 07.09.2013 and to pay difference in his retirement benefits including monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable from 08.09.2013 to till date together with interest at the rate of 18% per annum based on the said settlement.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman,
Standing Counsel for R1& R2

Mr.A.P.Muthupandian
Standing Counsel for R3

O R D E R

<https://hcservices.ecourts.gov.in/hcservices/> The petitioner was appointed as a Driver and retired from service as Selection Grade Service with effect from 07.09.2013.



2.The petitioner has submitted that the first respondent Corporation is bound to implement the revised pay fixation applicable to the petitioner in terms of the settlement under Section 12(3) of the Industrial Disputes Act, dated 13.04.2015.

3.Therefore, this writ petition is disposed of with the direction to the respondents to consider the petitioner's representation, dated 17.04.2017 in the light of the settlement under Section 12(3) of the Industrial Disputes Act, dated 13.04.2015, on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar.

To

- 1.The Managing Director,
Tamilnadu State Transport Corporation,
(Kumbakonam) Ltd.,
Kumbakonam.
- 2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd, Trichy Region, Trichy.
- 3.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

Order made in
W.P (MD) No.11458 of 2017
21.06.2017

Arul

AM/GT/SAR 1/30.06.2017/2P/4C