



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)Nos.14130 to 14132 of 2017

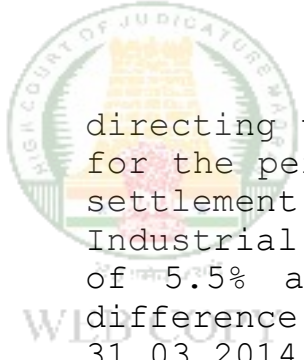
R.Sankarasekaran	... Petitioner in W.P.No.14130/2017
S.Kathiresan	... Petitioner in W.P.No.14131/2017
M.Sekar	... Petitioner in W.P.No.14132/2017

-vs-

- 1.The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director, Kumbakonam.
- 2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region, Karaikudi.
- 3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002. ... Respondents in all the Writ Petitions

Prayer in W.P.No.14130: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to refix and revise the petitioner's pay for the period from 01.09.2013 to 31.08.2014 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 his salary for the period from 01.09.2013 to 31.08.2014 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 01.09.2014 to till date together with interest at the rate of 18% per annum based on the said settlement.

<https://hcservices.courts.gov.in/hcservices/> W.P.No.14131: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus,



directing the respondents to refix and revise the petitioner's pay for the period from 01.09.2013 to 31.03.2014 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 his salary for the period from 01.09.2013 to 31.03.2014 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 01.04.2014 to till date together with interest at the rate of 18% per annum based on the said settlement.

Prayer in W.P.No.14132: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to refix and revise the petitioner's pay for the period from 01.09.2013 to 30.09.2014 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 his salary for the period from 01.09.2013 to 30.09.2014 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 01.10.2014 to till date together with interest at the rate of 18% per annum based on the said settlement.

For Petitioners in all W.Ps. : Mr.A.Rahul

For Respondents 1 and 2
in all W.Ps.

: Mr.D.Sivaraman,
Standing counsel for TNSTC

For R3

: Mr.A.P.Muthu Pandian
Standing Counsel for TNSTC

COMMON ORDER

By consent of both sides, these writ petitions are taken up for final disposal.

2.The petitioners' joined the services of the Transport Corporation as Conductors and Driver respectively. After putting unblemished service, they retired from service on attaining the age of superannuation on 31.08.2014, 31.03.2014 and 30.09.2014 respectively.

3. Their grievance appears to be that they are entitled to get the enhanced pay revision as per the settlement dated 13.04.2015, which dealt with the fixing of revised basic pay as on their date of retirement and the same should be computed at the rate of 5.5% <https://hcservices.courtsgov.in/hcservices> on the revised basic pay and grade pay drawn by them at the time of their retirement. Therefore, they have given representations to the respondents. However, the same have not



been considered so far. Hence, they are before this Court with these writ petitions.

4.Mr.D.Sivaraman, standing counsel, takes notice for the respondents, on instructions, sought four weeks time to consider the representations of the petitioners.

5.In view of the above submission, without going into the merits of the matters, the respondents 2 and 3 are directed to consider the representation of the petitioners, dated 11.06.2017, 17.07.2017 and 18.06.2017, and pass 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.

6.The writ petitions are disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

- 1.The Managing Director,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd., Kumbakonam.
 - 2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region, Karaikudi.
 - 3.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.
- +One cc to M/s.A.Rahul, Advocate, SR.No.68895
+One cc to M/s.A.Rahul, Advocate, SR.No.68894
+One cc to M/s.A.Rahul, Advocate, SR.No.68896
+One cc to M/s.D.Sivaraman, Advocate, SR.No.68886
+One cc to M/s.D.Sivaraman, Advocate, SR.No.68885
+One cc to M/s.D.Sivaraman, Advocate, SR.No.68884

RR

RL/10C/3P/KK/SAR2/18/8/2017