



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2017

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.1435 to 1437 of 2017

K.Maruthamuthu ... Petitioner in wp(md).1435/2017  
R.Thirugnanam ...Petitioner in wp(md).1436/2017  
R.Subendran ...Petitioner in wp(md).1437/2017  
vs.

1.The secretary to Government  
Transport Department  
Tamil Nadu Government  
St.George Fort  
Chennai - 600 009.

2.The Managing Director  
Tamil Nadu State Transport  
Corporation(Kumbakonam)Ltd.,  
Railway Station Road  
Kumbakonam  
Thanjavur District

3.The General Manager  
Tamil Nadu State Transport  
Corporation (Kumbakonam)Ltd.,  
Trichy Region  
Periyamilaguparai  
Trichy-1

4.The Administrator  
Tamil Nadu State Transport  
Corporation Employees Pension Fund Trust  
Thiruvalluvar House,  
Pallavan Salai  
Chennai -600 002.

... Respondents

Prayer in wp(md).1435 of 2017: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1 to 3 respondents Corporation to settle Post Retired Benefit Scheme (PRBS) amount of Rs.600/- per month to the



Petitioner from June 2016 to till date with reasonable interest within the time frame that may be stipulated by this Honourable Court.

Prayer in wp(md).1436 of 2017:Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1 to 3 respondents Corporation to settle Post Retired Benefit Scheme (PRBS) amount of Rs.1,000/- per month to the Petitioner from June 2016 to till date with reasonable interest within the time frame that may be stipulated by this Honourable Court.

Prayer in wp(md).1437 of 2017:Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1 to 3 respondents Corporation to settle Post Retired Benefit Scheme (PRBS) amount of Rs.1,000/- per month to the Petitioner from June 2016 to till date with reasonable interest within the time frame that may be stipulated by this Honourable Court.

For Petitioner(in all WPs) : Mr.N.Sudhagar Nagaraj  
For Respondents(in all WPs) : Mr.A.K.Baskara Pandiyan  
Special Government Pleader for R1  
Mr.D.Sivaraman for R2 and R3  
Mr.A.P.Muthupandian for R4

#### COMMON ORDER

Though the prayer in these writ petitions is for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to settle Post Retired Benefit Scheme (PRBS) amount of Rs.600/-, Rs.1000/- and Rs.1000/- per month respectively, to the petitioners from June 2016 to till date with reasonable interest within a time frame that may be stipulated by this Court, when the matter came up for hearing, learned counsel for the petitioners submitted that it is suffice if a direction is issued to the respondents 1 to 3, to consider the individual representations of the petitioners all dated 12.01.2017 seeking the abovesaid prayer, and to pass orders in the light of Clause 9 of the Settlement dated 13.04.2015 entered into under Section 12(3) of the Industrial Disputes Act, 1947, within a time frame.

2.In view of the limited relief sought for, the respondents are directed to consider the individual representations of the petitioners all dated 12.01.2017 in the light of Clause 9 of the Settlement dated 13.04.2015 entered into under Section 12(3) of the Industrial Disputes Act, 1947, if the said Clause in the settlement is still in force and not superseded by any other Settlement or Award. Whether the petitioners are governed by the said Settlement or not has got to be ascertained by the



respondents. The respondents shall pass appropriate orders on the representations of the petitioners within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-  
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1.The secretary to Government  
Transport Department  
Tamil Nadu Government  
St.George Fort  
Chennai - 600 009.

2.The Managing Director  
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4.The Administrator  
Tamil Nadu State Transport  
Corporation Employees Pension Fund Trust  
Thiruvalluvar House,  
Pallavan Salai  
Chennai -600 002.

+3 cc to M/S.SUDHAGAR NAGARAJ, Advocate SR.Nos.5421 to 5423  
+3 cc to M/S.D.SIVARAMAN, Advocate SR.Nos.5489, 5490, 5492

W.P(MD)No.1435 to 1437 of 2017  
31.01.2017

SMA/CM-MSA/03.02.2017:3P/11C