



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.08.2017

CORAM :

**THE HONOURABLE MR.JUSTICE T.RAJA**

W.P. (MD) No.14500 of 2017

S.Elango

... Petitioner

**Vs.**

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

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

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

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the 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.

For Petitioner : Mr.A.Rahul

For Respondents 1 and 2 : Mr.D.Sivaraman  
Standing counsel for TNSTC

For Respondent No.3 : Mr.A.P.Muthupandian



**ORDER**

By consent of both sides, this writ petition itself is taken up for final disposal.

2. The petitioner is a retired Senior Conductor from the first respondent Transport Corporation and retired from service with effect from 31.08.2014. The grievance of the petitioner is that he is entitled to get pay revision arrears at the rate of 5.5% on his Basic Pay and Grade Pay and Grade Pay has to be given from 01.09.2013. More over, while computing his retiral benefits, the 12 (3) settlement was not taken into account from 13.04.2015. Therefore, the petitioner gave a representation on 13.06.2017, stating that he is entitled to get pay revision from 01.09.2013 to 31.08.2014 and the same is kept pending. Hence, the petitioner is before this Court with the present writ petition.

3. Mr.D.Sivaraman, learned Standing counsel for TNSTC, who takes notice for the first and second respondents and Mr.A.P.Muthupandian, learned counsel who takes notice for the third respondent sought four weeks time to consider the petitioner's representation dated 13.06.2017.

4. In view of the above, the first and third respondents are directed to dispose of the petitioner's representation dated 13.06.2017, on merits, within a period of four weeks from the date of receipt of a copy of this order.

5. This Writ Petition stands disposed of with the above direction. No costs.

Sd/-

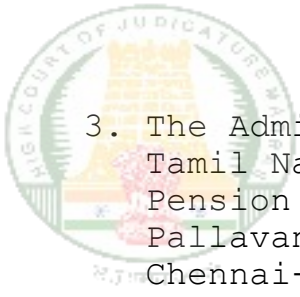
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
Kumbakonam.
2. The General Manager,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
Nagapattinam Region,  
Nagapattinam.



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

WEB COPY

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 70109  
+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 70060  
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 69271

MRN/MR

TE/KP/SAR-IV : 11/08/2017 : 3P/7C

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03.08.2017