



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 14.09.2017
CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

WEB COPY

WP(MD)No.17223 of 2017

K.Abdul Kapoor

... Petitioner

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 Illam,
Pallavan Salai,
Chennai-2.

... Respondents

Petition filed under Article 226 of the Constitution of India, 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 Petitioner : Mr.A.Rahul

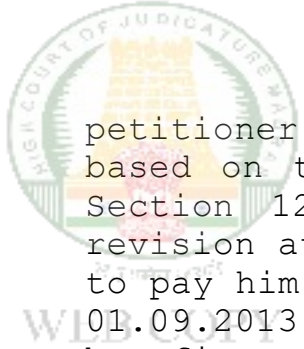
For Respondents : Mr.D.Sivaraman

Standing Counsel for TNSTC

ORDER

<https://hcservices.courts.gov.in/hcservices/>

Although the petitioner seeks 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, when the matter came up for hearing, the learned counsel for the petitioner submitted that the petitioner would be satisfied if a direction is issued to the respondents to pass orders on the representation of the petitioner dated 07.08.2017 in the light of the terms of settlement dated 13.04.2015 entered under Section 12(3) of Industrial Disputes Act, 1947, within a time frame.

2. In view of the limited relief sought for, without expressing any opinion on the merits of the case, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 07.08.2017 in the light of the terms of settlement dated 13.04.2015 entered under Section 12 (3) of Industrial Disputes Act, 1947 and pass appropriate orders on merits in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

+1cc to M/S.A.Rahul, Advocate SR.No. 79252
+1cc to M/S.D.Sivaraman, Advocate SR.No. 79184

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14.09.2017

NBI
JM/SKN RSK/SAR 1/27.09.2017/2P/3C