



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P. (MD) No. 21562 of 2017

S.Mathivanan

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department and Chairman of Board of Directors of
State Transport Undertakings,
Fort St.George,
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.

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

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to settle as per the 1998 year Wage Settlement Effect under Section 12 (3) of ID Act, 1947 the petitioner's earned leave salary for 45 days for the years 2011 to 2013 with reasonable rate of interest from the date of retirement to till date to the petitioner.

For Petitioner : Mr.N.Sudhagar Nagaraj

For R1 : Mr.R.Velmurugan
Government Advocate

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

For R2 to R4 : Mr.D.Sivaraman

**ORDER**

The petitioner has come up with the writ petition seeking a direction, directing the respondents to settle as per the 1998 year Wage Settlement effected under Section 12 (3) of ID Act, 1947 the petitioner's earned leave salary for 45 days for the years 2011 to 2013 with reasonable rate of interest from the date of retirement to till date to the petitioner.

2. Heard Mr.N.Sudhagar Nagaraj, learned counsel appearing for the petitioner and Mr.R.Velmurugan, learned Government Advocate appearing for the first respondent and Mr.D.Sivaraman, learned counsel appearing for the respondents 2 to 4.

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

4. The learned counsel for the petitioner states that the petitioner had already made representation dated 13.10.2017 claiming the relief sought in the writ petition and further submits that it would suffice if the aforesaid representation of the petitioners is disposed expeditiously by the third respondent within a time frame fixed by this Court, though the petitioner has sought for a larger relief in the writ petition.

5. It is brought to the notice of this Court by the learned counsel for the respondents 2 to 4 that the representation dated 27.10.2017 made by the petitioner is under consideration of the third respondent.

6. Hence, without expressing any view on the entitlement or correctness of the claim made by the petitioner, this Court directs the third respondent to consider the representation dated 13.10.2017 made by the petitioner and pass a reasoned order on merits in accordance with law, taking note of the settlement dated 13.04.2015, under Section 12(3) of Industrial Disputes Act, 1947 and communicate the same to the petitioner and file a report of compliance before the Registrar (Judicial) of this Court on or before 31.12.2017.

7. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar



To

1. The Secretary to Government,
State of Tamil Nadu Transport Department and
Chairman of Board of Directors of
State Transport Undertakings,
Fort St. George,
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.

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

Copy to : The Registrar(Judicial)
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr.D.SIVARAMAN Advocate in SR. No. 89265

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 89677

TA

JS/SV.MMS/SAR.2/8.12.2017/3P-8C

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