



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.06.2017

CORAM :

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD) No.6860 of 2017

P.K.Rajendran

... Petitioner

Vs.

1.State of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department,
St.George Fort, Chennai-9.

2.The Managing Director,
Tamil Nadu State Transport Corporation,Madurai Ltd.,
Madurai Region, By-pass Road,
Madurai.

3.The General Manager,
Tamil Nadu State Transport Corporation,Madurai Ltd.,
Madurai Region, By-pass Road,
Madurai.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issue a Writ of Mandamus, directing the respondents to pay the petitioner Re.8,85,642/- towards Gratuity, Rs.3,66,144/- towards E.P.F., Rs.79,191/- towards Leave salary, and Rs.25,000/- towards Employees Social Security Scheme benefit and the arrears of wages payable in pursuant to new wage Settlement entered into between Tamil Nadu State Transport Corporation and the trade Unions on 13.04.2015 under Sec.12(3) of the I.D. Act and other retirement benefits with 18% interest per annum within a stipulated time which this Court may fix.

For Petitioner : Mr.Y.Krishnan

For R-1 : Mr.J.Gunaseelan Muthiah
Government Advocate

: Mr.A.P.Muthupandian
Standing Counsel for TNSTC

**ORDER**

This Writ Petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay the petitioner Rs.8,85,642/- towards Gratuity, Rs.3,66,144/- towards E.P.F., Rs.79,191/- towards Leave salary, and Rs.25,000/- towards Employees Social Security Scheme benefit and the arrears of wages payable in pursuant to new wage Settlement entered into between Tamil Nadu State Transport Corporation and the trade Unions on 13.04.2015, under Section 12(3) of the I.D. Act and other retirement benefits with 18% interest per annum.

2.Though this Writ petition is filed for issuing a positive direction to the respondents, the learned counsel for the petitioner keeping in view of the similar order passed in similar circumstances, request this Court to direct the respondents to consider the petitioner's representation dated 26.02.2017, in terms of the settlement made under Section 12(3) of the Industrial Dispute Act, between Tamil Nadu State Transport Corporation and the Trade Union on 13.04.2015.

3. Considering the submission made by the learned Counsel for the petitioner, this Court is inclined to pass the following direction:

3.1. The respondents are directed to consider the petitioner's representation dated 26.02.2017, and pass appropriate order on merits and in accordance with law in terms of the settlement under Section 12(3) of the Industrial Dispute Act, dated 13.04.2015, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(Co)

/True copy/

Sub Assistant Registrar

To

1.The General Manager,
State Express Transport Corporation Ltd.,
Pallavan Salai,
Chennai.

2.The Branch Manager,
State Express Transport Corporation Ltd.,
Tuticorin.



3.The General Manager,
Tamil Nadu State Transport Corporation, Madurai Ltd.,
Madurai Region, By-pass Road,
Madurai.

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

+1 cc to Special Government Pleader in SR.No.58865

cmr/gsp

AE/MR/SAR3/14.06.2017/3P/6C

W.P. (MD) No.6860 of 2017
06.06.2017