



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2017

CORAM

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

WEB COPY

W.P. (MD) .Nos.7136 of 2017

John Joseph, S/o.Arulappan,
Driver (5402/93 DR 2052),
Malaikottai Branch, Trichy District.

..Petitioner

Vs.

1. The Government of Tamilnadu,
Rep. by its Secretary,
Transport Department, Secretariat, Chennai.
 2. The Managing Director,
Tamilnadu State Transport Corporation (Kumbakonam),
Kumbakonam.
 3. The General Manager,
Tamilnadu State Transport Corporation(Kumbakonam),
Trichy Region, Trichy.
- .. Respondents

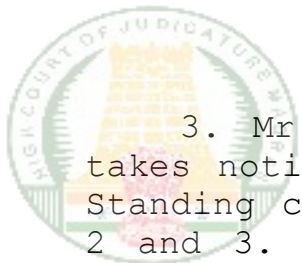
PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant at 5.5% of the sum of Basic Pay and Grade Pay along with the Basic Pay of Rs.9,210/- (revealed in pay slip of September 2013) as Revised pay with effect from 01.09.2013 as per the settlement under Section 12(3) of the Industrial Disputes Act 1947, dated 13.04.2015 and all other attendant benefits to the petitioner.

For Petitioner : Mr.N.Sudhagar Nagaraj
For R-1 : Mr.N.S.Karthikeyan,
Additional Government Pleader.
For R-2 & R-3 : Mr.D.Sivaraman
Standing Counsel for T.N.S.T.C.,

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to grant at 5.5% of the sum of Basic Pay and Grade Pay along with the Basic Pay of Rs.9,210/- (revealed in pay slip of September 2013) as Revised pay with effect from 01.09.2013 as per the settlement under Section 12(3) of the Industrial Disputes Act 1947, dated 13.04.2015 and all other attendant benefits to the petitioner.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the first respondent and the learned Standing counsel for T.N.S.T.C., appearing for the respondents 2 and 3.



3. Mr.N.S.Karthikeyan, learned Additional Government Pleader takes notice for the first respondent and Mr.D.Sivaraman, learned Standing counsel for T.N.S.T.C., takes notice for the respondents 2 and 3. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a positive direction, the learned counsel for the petitioner submit that the petitioner will be satisfied if a direction is issued to the respondents to consider the representation of the petitioner, dated 20.03.2017, within the time stipulated by this Court.

5. Considering the limited scope of the prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The respondents are directed to consider the representation of the petitioner, dated 20.03.2017, and pass appropriate orders on merits and in accordance with law, in the light of the terms of settlement dated 13.04.2015 entered under Section 12(3) of Industrial Disputes Act, 1947, within a period of six weeks from the date of receipt of a copy of this order."

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To

1. The Government of Tamilnadu,
Rep. by its Secretary,
Transport Department, Secretariat, Chennai.
 2. The Managing Director,
Tamilnadu State Transport Corporation (Kumbakonam),
Kumbakonam.
 3. The General Manager,
Tamilnadu State Transport Corporation(Kumbakonam),
Trichy Region, Trichy.
- +1cc to M/S The special Government Pleader,SR.53158
+1cc to M/S N.Sudhagar Nagaraj,Advocate,SR.52630
+1cc to M/S D.Sivaraman,Advocate,SR.52646

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