



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.04.2016

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P(MD)No.6977 of 2016

S.Khan Shahib

... Petitioner

Vs.

1.The Principal Secretary to
Government of Tamil Nadu,
Transport Department and
Chairman of Transport Corporation,
Fort St. George, Chennai - 9.

2.The Management of Tamil Nadu
State Transport Corporation
(Madurai) Limited,
Represented by its Managing Director,
Bye-pass Road, Madurai - 10.

3.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited, Dindigul Region, Dindigul.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus (i) directing the respondents to extend the 4th and 5th review benefits to the petitioner based on the settlement dated 22.01.2011 entered into under Section 12(3) of Industrial Disputes Act, (ii) to enhance/revise the salary of the petitioner with effect from 01.09.2010 by issuing revised pay fixation order for the promotion to the posts of Driving Instructor in the second respondent Corporation as per G.O.(Ms).No.61 Transport(C) Department, dated 30.04.2015 and consequently (iii) directing the respondents to pay the arrears of difference in salary payable to the petitioner for the period commencing from 01.09.2010 to the date of retirement ie., 30.04.2011 and also to compute and pay revised pension benefits based on the above settlement.

For Petitioner	: Mr.J.Lawrance
For R-1	: Mr.T.R.Janarthanam, Additional Government Pleader
For R-2 to R-4	: Mr.A.P.Muthupandian



ORDER

Though the prayer in the Writ Petition is widely worded, the learned counsel for the petitioner has submitted that the petitioner would be satisfied if his representation, dated 01.03.2016 is directed to be disposed of by the respondent-Transport Corporation, in the light of G.O.Ms.No.61, Transport(C) Department, dated 30.04.2015 and the settlement signed under Section 12(3) of the Industrial Disputes Act, dated 22.01.2011, within a stipulated time.

2. Heard the learned counsel on either side.

3. In view of the above submission made by the learned counsel for the petitioner, the 2nd respondent herein is directed to dispose of the representation of the petitioner, dated 01.03.2016, in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and the settlement signed under Section 12(3) of the Industrial Disputes Act, dated 22.01.2011, within a period of eight weeks from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No Costs.
Sd/-

Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

To

1. The Principal Secretary to
Government of Tamil Nadu,
Transport Department and
Chairman of Transport Corporation, Fort St. George, Chennai - 9.
2. The Management of Tamil Nadu
State Transport Corporation
(Madurai) Limited,
Represented by its Managing Director,
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3. The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited, Dindigul Region, Dindigul.
4. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai, Chennai -2.

+1 CC to Mr.T.LAWRANCE, Advocate, SR No.20131

SDR/SKS-RR:27.04.2016:2P/6C