

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :03.04.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. No.3369 of 2018

R.Krishnan

...Petitioner

Vs

Tamil Nadu State Transport Corporation
(Coimbatore) Limited
Represented by its Managing Director
Mettupalayam Road
Coimbatore - 641 043.

... Respondent

PRAYER : Petition filed Under Article 226 of the Constitution of India to issue of Writ of Certiorarified Mandamus, calling for the records from the file of the respondent bearing No.1/G3/2599/TNSTC/2002 dated 02.11.2017 and quash the same and consequently direct the respondent herein to implement the awards passed in I.D.Nos.142 & 240 of 2005 dated 05.05.2017 and 14.09.2017 respectively and to pay the arrears of pension within a time frame.

For Petitioner : Mr.K.M.Ramesh

For Respondent : Mr.R.S.Selvam

O R D E R

The relief sought for in this writ petition is to call for the records from the file of the respondent bearing No.1/G3/2599/TNSTC/2002 dated 02.11.2017 and quash the same and consequently direct the respondent herein to implement the awards passed in I.D.Nos.142 & 240 of 2005 dated 05.05.2017 and 14.09.2017 respectively.

2.The learned counsel appearing on behalf of the writ petitioner states that on account of the initiation of disciplinary proceedings punishment orders were passed, imposing stoppage of increment for 1 year in one case and 6 months in another case. Against the two punishment orders, the writ petitioner filed I.D.Nos.142 and 240 of 2005 and the Labour Court passed an award to set aside the orders of punishment dated 05.05.2017 and 14.09.2017 respectively. Since the above

awards were not implemented the writ petitioner was constrained to move the present writ petition.

3.However, it is brought to the notice of this court that the respondent issued an order vide proceedings dated 16.02.2018 stating that the awards passed in I.D. Nos.142 and 240 of 2005 will be implemented. Thus, the grievances of the writ petitioner in respect of the implementation of the awards passed in I.D.Nos.142 & 240 of 2005 is redressed.

4.In this view of the matter, the respondent is directed to settle all benefits in respect of the awards passed in I.D.Nos.142 & 240 of 2005. It is brought to the notice of this court that yet another punishment was imposed on the writ petitioner and he was retired from service on 31.01.2009 and the terminal and other pensionary benefits are yet to be settled. In this regard, the respondent has to consider the claim of the petitioner for all terminal and pensionary benefits in accordance with rules, without causing any undue delay. As far as implementation of the awards, the respondent already issued an order in proceedings dated 16.02.2018 stating that the award passed in I.D. Nos.142 and 240 of 2005 will be implemented and hence, no further adjudication in respect of the grounds raised in this writ petition is required.

5.Accordingly, this writ petition stands disposed of. However, there is no order as to costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

Tamil Nadu State Transport Corporation
(Coimbatore) Limited
Represented by its Managing Director
Mettupalayam Road
Coimbatore - 641 043.
+1 cc to Mr.K.M.Ramesh Advocate sr 24530

W.P. No.3369 of 2018

sr(co)
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