



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.8436 of 2018

WEB COPY

M.Nagendra Pillai

... Petitioner

-Vs-

1.Tamil Nadu State Transport

Corporation (Tirunelveli) Limited,
Represented by its Managing Director,
Vannarapettai, Tirunelveli-627 003.

2.The General Manager,

Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
Nagercoil Region, Rani Thottam,
Nagercoil-629 001.

3.The Administrator,

Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to revise and re-fix the petitioner's pension, gratuity and other terminal benefits by taking pay revision given under settlements under Section 12(3) of the I.D.Act dated 22.01.2011 and 13.04.2015 which came into effect from 01.09.2010 and 01.09.2013, respectively.

For Petitioner

: Mr.A.Rahul

For Respondents

: Mr.K.Sathyasingh,
Standing Counsel.

ORDER

The prayer sought for in the writ petition is for a Writ of Mandamus, directing the respondents to revise and re-fix the petitioner's pension, gratuity and other terminal benefits by taking pay revision given under settlements under Section 12(3) of the I.D.Act dated 22.01.2011 and 13.04.2015 which came into effect from 01.09.2010 and 01.09.2013 respectively.

2.Heard Mr.A.Rahul, learned counsel appearing for the

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petitioner, Mr.K.Sathyasingh, learned Standing Counsel, who accepts notice on behalf of the respondents.



3. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel appearing for the petitioner would submit that the petitioner in order to revise and re-fix the pension, gratuity and other terminal benefits had been requesting the respondents from 2016 onwards and in this regard, representations had been submitted on 10.02.2016, 27.03.2018 and 12.04.2018. However, no action forthcoming from the respondents. Therefore, the petitioner is before this Court.

5. The learned counsel for the petitioner would further submit that if the said representation dated 10.02.2016 is directed to be considered and an order to that effect is directed to be passed by the respondents, the petitioner would be satisfied.

6. I have heard the learned Standing Counsel appearing for the respondents, who would submit the request of the petitioner by way of his representation dated 10.02.2016 and subsequent remainder representations would be considered by the respondents and an order would be passed on merits and in accordance with law, within a time frame to be stipulated by this Court.

7. Considering the said submissions made by both sides, this Writ Petition is disposed of with the following direction:-

"that the first and third respondents are directed to consider the request of the petitioner by way of his representation dated 10.02.2016 and remainder representations with regard to the re-fixation of his pension and other terminal benefits and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

No costs.

Sd/
Assistant Registrar (T&P)

/True copy/

Sub Assistant Registrar

+1cc to Mr. A.K. THANGAVELU, Advocate, SR.No. 62097
+1cc to Mr. K. SATHYA SINGH Advocate, SR.No. 62000

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