



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.04.2018

CORAM :

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

WEB COPY

W.P(MD) No.8889 of 2018

M.Nagendra Pillai

... Petitioner

Vs.

1.Tamil Nadu State Transport Corporation
(Thirunelveli) Ltd., rep. by its Managing Director,
Vannarapettai, Thirunelveli - 627 003.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Thirunelveli) Ltd., 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: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant review benefits and annual increments based on settlements under Section 12(3) of the I.D.Act and further directing the respondents to revise and re-fix the pension, gratuity and other terminal benefits of the petitioner based on the review benefits and annual increments payable for the period from 01.11.2008 to 28.07.2015.

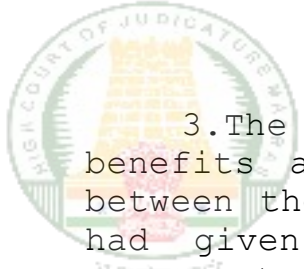
For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Sathiya Singh

ORDER

The prayer sought for herein is for a writ of Mandamus, directing the respondents to grant review benefits and annual increments based on settlements under Section 12(3) of the I.D.Act and further directing the respondents to revise and re-fix the pension, gratuity and other terminal benefits of the petitioner based on the review benefits and annual increments payable for the period from 01.11.2008 to 28.07.2015.

2.Heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.K.Sathiya Singh, learned standing counsel appearing for the respondent Corporation.



3.The petitioner, with regard to his grievances of the pay benefits and annual increments based on the settlement reached between the employee and employer under Section 12(3) of I.D.Act, had given representation on 10.02.2016, thereafter, reminder representations on 27.03.2018 and 12.04.2018. However, none of these representations have so far been considered by the respondents. Hence, the learned counsel for the petitioner would submit that, if a direction is given by this Court to consider his representation and an order to that effect is directed to be passed, the petitioner would be satisfied.

4.Considering the said submission made by both sides, this writ petition, at the admission stage, is disposed of, with the consent of both sides, with the following direction:

"The respondents 2 and 3 are directed to consider the representation dated 10.02.2016 and the reminder representations dated 27.03.2018 and 12.04.2018 with regard to the service benefits of the petitioner on the basis of 12(3) settlement between the parties and pass orders thereon, within a period of six weeks from the date of receipt of a copy of this order.

5.With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

1.The General Manager,
Tamil Nadu State Transport Corporation
(Thirunelveli) Ltd., Nagercoil Region,
Rani Thottam, Nagercoil - 629 001.

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

+1CC TO Mr.K.Sathiya Singh, Advocate, Sr No.63161

+1CC TO A.K.Thangavelu, Advocate, Sr No.62993

W.P (MD) No.8889 of 2018
23.04.2018

Arul