



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.12436 of 2018

H.Bright

... Petitioner

Vs.

1. The Administrator,
The Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai.
2. The Managing Director,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli District.
3. The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Nagercoil Region, Kanyakumari District.
4. The Branch Manager,
Tamilnadu State Transport Corporation
(Tirunelveli) Ltd.,
Nagercoil Region,
Marthandam Branch,
Kanyakumari District.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to disburse interest for belated payment of Provident Fund and terminal benefits, dearness allowance and earn leave benefits for the year 2008 and 2010 along with 18% interest by calculating the basic pay based on the 12(3) settlement dated 13.04.2015 by considering the representation of the petitioner dated 14.10.2016 and 24.04.2018 within a time frame that may be fixed by this Court.

For Petitioner : Mr.T.Jeen Joseph

For Respondents : Mr.K.Sathya Singh

**O R D E R**

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondents herein to disburse interest for belated payment of Provident Fund and terminal benefits, dearness allowance and earn leave benefits for the year 2008 and 2010 along with 18% interest by calculating the basic pay based on the 12(3) settlement dated 13.04.2015 by considering the representation of the petitioner dated 14.10.2016 and 24.04.2018 within a time frame that may be fixed by this Court.

2. Heard Mr.T.Jeen Joseph, learned counsel for the petitioner and Mr.K.Sathya Singh, learned standing counsel appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that the petitioner in order to redress his grievance has given representations on 14.10.2016 and 24.04.2018 and if a direction is given to the respondents to consider the representations and pass orders thereon on merits and in accordance with law, the petitioner would be satisfied.

4. The learned standing counsel appearing for the respondents would submit that the representations of the petitioner shall be considered on merits and in accordance with law, within a period of eight weeks and an order to that effect will be passed and the same would be communicated to the petitioner.

5. Considering the said submissions made by both sides and the limited scope of the writ petition, this writ petition is disposed of with a direction that the third respondent shall pass orders on the representations of the petitioner dated 14.10.2016 and 24.04.2018 on merits and in accordance with law, of course, based on 12(3) Settlement under I.D.Act, within a period of eight weeks from the date of receipt of a copy of this order and a reasoned order to that effect passed by the third respondent shall be communicated to the petitioner, with the said time.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

+ 1 cc TO Mr.K.Sathya Singh, Advocate in SR No. 67934

+ 1 cc TO Mr.T.Jeen Joseph , Advocate in SR No. 67799

Arul

AE/SV MMS/SAR1/28.06.2018/2P/3C