



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P (MD) No.21751 of 2018

B.Sridhar,
Selection Grade Senior Tradesman MCD(Retired),
Son of Balasubramanian,
7-A, Sethupathi Street,
Nehru Nagar,
Bye-Pass Road,
Madurai - 625 016.

... Petitioner

vs.

1. The Managing Director,
State Express Transport Corporation(Tamil Nadu)Limited,
Thiruvalluvar Illam,Pallavan Salai,
Chennai - 600 002.

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

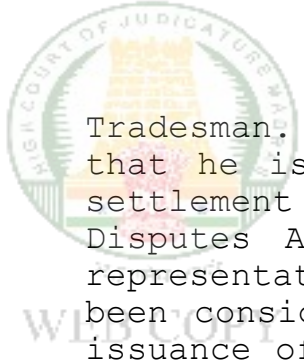
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to revise the Petitioner's pay and pension in terms of settlement entered into under Section 12(3) of the Industrial Disputes Act, dated 4.1.2018 and to pay the arrears of salary and arrears of pension and to pay the difference amount of Petitioner's retirement benefits such as Pension, Gratuity, Pension Commutation, Provident Fund, Leave Salary etc along with 6% interest per annum within the time stipulated by this Court.

For Petitioner	: Mr.C.Thangamani
For R1	: Mr.K.Sathiya Singh Standing Counsel for TNSTC
For R2	: Mr.A.P.Muthupandian Standing Counsel

ORDER

The petitioner was employed as a Selection Grade Junior



Tradesman. He retired from service on 31.10.2016. His grievance is that he is entitled to revision of scale of pay in terms of the settlement entered into under Section 12(3) of the Industrial Disputes Act, 1947. Since his pay was not revised, he made a representation dated 26.09.2018 therefor and that the same has not been considered. Therefore, this writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to revise the Petitioner's pay and pension in terms of settlement entered into under Section 12(3) of the Industrial Disputes Act, dated 4.1.2018 and to pay the arrears of salary and arrears of pension and to pay the difference amount of Petitioner's retirement benefits such as Pension, Gratuity, Pension Commutation, Provident Fund, Leave Salary etc along with 6% interest per annum within the time stipulated by this Court.

2.Learned counsels for the respondents submitted that the respondents would dispose of the representation of the petitioner dated 26.09.2018 within a time frame.

3.Recording the above submissions, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 26.09.2018, in the light of the terms of settlement dated 4.1.2018 entered under Section 12(3) of Industrial Disputes Act, 1947, and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. In case, if the Petitioner is found eligible,, the eligible amount shall be disbursed to him within a period of two months thereafter. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar (CS-IV)

+ 1 CC TO Mr.C.THANGAMANI, ADVOCATE IN SR No. 92319
+ 1 CC TO Mr.K.SATHIYA SINGH, ADVOCATE IN SR No. 91937

VSN

TE/BK/SAR-4 : 07/12/2018 : 2P/3C

W.P (MD) No.21751 of 2018
25.10.2018