



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.18653 of 2018

C.Elangovan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) limited,
Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Trichy Region,
Trichy.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to pay difference in the petitioner's salary from 01.09.2013 to 31.12.2013, arrears of difference in pension from 01.01.2014 to April 2018, difference amount in gratuity, commutation and leave salary payable from 01.01.2014 together with interest at the rate of 18% per annum payable from the date of retirement to till the date on which the above amounts are disbursed with the petitioner.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

Standing counsel for TNSTC

O R D E R



petitioner's salary from 01.09.2013 to 31.12.2013, arrears of difference in pension from 01.01.2014 to April 2018, difference amount in gratuity, commutation and leave salary payable from 01.01.2014 together with interest at the rate of 18% per annum payable from the date of retirement to till the date on which the above amounts are disbursed to the petitioner.

2. The petitioner was employed as Senior Tradesman in the respondents Corporation and retired from service on 31.12.2013. His grievance is that he is entitled to the 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 16.07.2018 to the respondents, which has not been considered so far. Hence, the petitioner has come forward to file the writ petition with the aforesaid prayer.

3. The learned Standing counsel appearing for the respondents would submit that the respondents would dispose of the representation of the petitioner dated 16.07.2018 within a time frame.

4. In view of the submissions made, the respondents are directed to consider the representation of the petitioner dated 16.07.2018, in the light of the terms of settlement dated 13.04.2015, entered under Section 12(3) of Industrial Disputes Act, 1947, and pass orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order, if there are no other legal impediment to do so.

5. With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) limited, Kumbakonam.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Trichy Region, Trichy.



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

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 80606
+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 81109

AKV

TE/PM/SAR-4 : 01/11/2018 : 3P/6C

W.P (MD) No.18653 of 2018
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