



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN
W.P(MD)No.19624 of 2018

S.Gunasekaran

... Petitioner

vs.

1.The Management of Tamil Nadu,
The Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
Represented by its Managing Director,
27, New Railway Station Road,
Kumbakonam-612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation,
Kumbakonam Limited,
Kumbakonam Region,
Kumbakonam-612 001.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Tamil Nadu Pension Fund Trust,
Thiruvalluvar Illam, Pallavansalai,
Chennai-600 002.

... Respondents

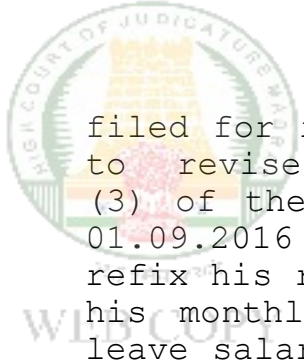
PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to revise the petitioner's pay as per settlement under Section 12(3) of the ID Act dated 04.01.2018 with retrospective effect from 01.09.2016 and consequently directing the respondents to revise and refix his retirements benefits and to disburse difference amounts in his monthly pension, commuted value of pension, gratuity, earned leave salary to the petitioner with interest at the rate of 18% per annum payable from 01.09.2016 to till the date of actual payment within the time limit that may be fixed by this Court.

For Petitioner : Mr.S.Royce Immanuel

For Respondents : Mr.D.Sivaraman

ORDER

The petitioner was employed as Clerk in the respondent corporation. He retired from service on 30.06.2017. 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 dated 04.01.2018. Since his pay was not revised, he made a representation dated 30.08.2018 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 as per settlement under Section 12 (3) of the ID Act dated 04.01.2018 with retrospective effect from 01.09.2016 and consequently directing the respondents to revise and refix his retirements benefits and to disburse difference amounts in his monthly pension, commuted value of pension, gratuity, earned leave salary to the petitioner with interest at the rate of 18% per annum payable from 01.09.2016 to till the date of actual payment within the time limit that may be fixed by this Court.

2.The learned counsel for the respondents submitted that the respondents would dispose of the representation of the petitioner dated 30.08.2018 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 30.08.2018, as per settlements under Section 12(3) of the Industrial Disputes Act, 1947 dated 04.01.2018, 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. No costs.

Sd/

Assistant Registrar(T&P)

/True copy/

Sub Assistant Registrar(CS-I)

TO

1.The Management of Tamil Nadu,
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Tamil Nadu State Transport Corporation,
Tamil Nadu Pension Fund Trust,
Thiruvalluvar Illam, Pallavansalai,
Chennai-600 002.

+1cc to Mr.D.Sivaraman, Advocate, SR.No.83551

+1cc to Mr.S.ROYCE IMMANUEL, Advocate, SR.No.83436