



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 17.09.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN
W.P. (MD) No.19762 of 2018

WEB COPY

B.V.Raghavan

... Petitioner

Vs.

- 1.The Management of
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd,
Rep.by its Managing Director,
Kumbakonam.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd,
Pudukkottai Region,
Pudukkottai.
- 3.The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 2.

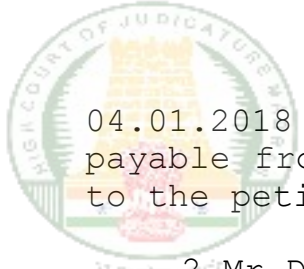
... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to revise the petitioner's scale of pay in the post of Senior Assistant with effect from 01.09.2016 as per the settlement under Section 12 (3) of the Industrial Disputes Act, dated 04.01.2018 and consequently, direct the respondents to pay his difference in salary from 01.09.2016 to 31.05.2018 and difference amounts in his terminal benefits payable to the petitioner including difference in gratuity, difference in terminal leave salary and difference amount in monthly pension payable to him based on 13th wage settlement dated 04.01.2018 together with interest at 18% per annum payable from the date of his retirement to till the date on which the above monetary benefits are settled to the petitioner.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman

O R D E R

The petitioner seeks for a Writ of Mandamus, directing the respondents to revise the petitioner's scale of pay in the post of Senior Assistant with effect from 01.09.2016 as per the settlement under Section 12(3) of the Industrial Disputes Act, dated 04.01.2018 and consequently, direct the respondents to pay his difference in salary from 01.09.2016 to 31.05.2018 and difference amounts in terminal benefits including gratuity, leave salary and monthly pension payable to him based on 13th wage settlement dated



04.01.2018 together with interest at the rate of 18% per annum payable from the date of his retirement till the date of settlement to the petitioner.

2.Mr.D.Sivaraman, learned counsel takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

3.The learned counsel for the petitioner submitted that it would suffice if the representation of the petitioner dated 25.08.2018 shall be disposed of in accordance with law, within a time frame to be fixed by this Court.

4.In view of the limited scope of the prayer, without going into the merits of the matter, the respondents are directed to consider the representation of the petitioner dated 25.08.2018 and pass appropriate orders thereon in accordance with law and also in the light of the settlement under Section 12(3) of the Industrial Disputes Act, dated 04.01.2018, preferably within a period of two months from the date of receipt of a copy of this order, if there are no legal impediments.

5.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/

Assistant Registrar(CS-II)

/True copy/

Sub Assistant Registrar(CS-I)

TO

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

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd,
Pudukkottai Region,
Pudukkottai.

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

+1cc to Mr.A.RAHUL, Advocate, SR.No.84815

+1cc to Mr.D.SIVARAMAN, Advocate, SR.No. 84635

W.P. (MD) No.19762 of 2018
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