



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2018

CORAM:

THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN

W.P. (MD) Nos. 20806 to 20810 of 2018

WEB COPY

K. Gnanasambandam

.. Petitioner in W.P.No.20806 of 2018

R. Sekar

.. Petitioner in W.P.No.20807 of 2018

P.S. Balu

.. Petitioner in W.P.No.20808 of 2018

S. Krishnamoorthy

.. Petitioner in W.P.No.20809 of 2018

R. Sugumar

.. Petitioner in W.P.No.20810 of 2018

Vs.

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

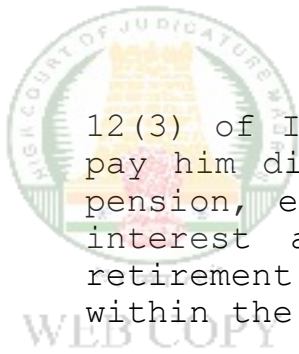
2. The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

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

... Respondents in all WPs

PRAYER IN W.P. (MD) No. 20806 of 2018: 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 Checking Inspector from the scale of pay of Rs.5200 - 20200 + 2450 to the scale of pay of Rs.9300 - 34800 + 4300 with effect from 19.01.2012 in terms of settlement signed under Section 12(3) of ID Act, dated 04.01.2018 and to direct the respondents to pay him difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

PRAYER IN W.P. (MD) No. 20807 of 2018: 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 Checking Inspector from the scale of pay of Rs.5200 - 20200 + 2250 to the scale of pay of Rs.9300 - 34800 + 4300 with effect from 30.10.2010 in terms of settlement signed under Section



12(3) of ID Act, dated 04.01.2018 and to direct the respondents to pay him difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

PRAYER IN W.P.(MD)No.20808 of 2018: 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 Checking Inspector from the scale of pay of Rs.5200 - 20200 + 2600 to the scale of pay of Rs.9300 - 34800 + 4300 with effect from 24.02.2015 in terms of settlement signed under Section 12(3) of ID Act, dated 04.01.2018 and to direct the respondents to pay him difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

PRAYER IN W.P.(MD)No.20809 of 2018: 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 Checking Inspector from the scale of pay of Rs.5200 - 20200 + 2250 to the scale of pay of Rs.9300 - 34800 + 4300 with effect from 26.04.2008 in terms of settlement signed under Section 12(3) of ID Act, dated 04.01.2018 and to direct the respondents to pay him difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

PRAYER IN W.P.(MD)No.20810 of 2018: 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 Checking Inspector from the scale of pay of Rs.5200 - 20200 + 2400 to the scale of pay of Rs.9300 - 34800 + 4300 with effect from 20.02.2015 in terms of settlement signed under Section 12(3) of ID Act, dated 04.01.2018 and to direct the respondents to pay him difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

For Petitioners	: Mr.A.Rahul
For Respondents	: Mr.D.Sivaraman for R1 and R2
	Mr.A.P.Muthupandian, for R3

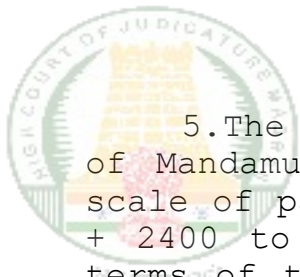
**COMMON ORDER**

The petitioner in W.P.(MD)No.20806 of 2018 seeks for a Writ of Mandamus, directing the respondents to revise the petitioner's scale of pay in the post of Checking Inspector from Rs.5200 - 20200 + 2450 to Rs.9300 - 34800 + 4300 with effect from 19.01.2012 in terms of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018 and also to direct the respondents to pay difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of retirement of the petitioner to till the date of actual payment is made within the time limit.

2.The petitioner in W.P.(MD)No.20807 of 2018 seeks for a Writ of Mandamus, directing the respondents to revise the petitioner's scale of pay in the post of Checking Inspector from Rs.5200 - 20200 + 2250 to Rs.9300 - 34800 + 4300 with effect from 30.10.2010 in terms of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018 and also to direct the respondents to pay difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of retirement of the petitioner to till the date of actual payment is made within the time limit.

3.The petitioner in W.P.(MD)No.20808 of 2018 seeks for a Writ of Mandamus, directing the respondents to revise the petitioner's scale of pay in the post of Checking Inspector from Rs.5200 - 20200 + 2600 to Rs.9300 - 34800 + 4300 with effect from 24.02.2015 in terms of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018 and also to direct the respondents to pay difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of retirement of the petitioner to till the date of actual payment is made within the time limit.

4.The petitioner in W.P.(MD)No.20809 of 2018 seeks for a Writ of Mandamus, directing the respondents to revise the petitioner's scale of pay in the post of Checking Inspector from Rs.5200 - 20200 + 2250 to Rs.9300 - 34800 + 4300 with effect from 26.04.2008 in terms of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018 and also to direct the respondents to pay difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of retirement of the petitioner to till the date of actual payment is made within the time limit.



5.The petitioner in W.P.(MD)No.20810 of 2018 seeks for a Writ of Mandamus, directing the respondents to revise the petitioner's scale of pay in the post of Checking Inspector from Rs.5200 - 20200 + 2400 to Rs.9300 - 34800 + 4300 with effect from 20.02.2015 in terms of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018 and also to direct the respondents to pay difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of retirement of the petitioner to till the date of actual payment is made within the time limit.

6.Mr.D.Sivaraman, learned standing counsel takes notice for respondents 1 & 2 and Mr.A.P.Muthupandian, learned counsel takes notice for the 3rd respondent. By consent, these writ petitions itself are taken up for final disposal.

7.The learned counsel for the petitioners submitted that it would suffice if the representations of the petitioners shall be disposed of in terms of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018.

8.In view of the limited scope of the prayer, without going into the merits of the matter, the respondents are directed to consider the representations of the petitioners and pass appropriate orders thereon in the light of the settlement under Section 12(3) of Industrial Disputes Act dated 04.01.2018 and if the petitioners are found eligible, the terminal benefits shall be paid within a period of three months from the date of receipt of a copy of this order.

9.With the above direction, these Writ Petitions stand disposed of. No costs.

Sd/
Assistant Registrar(AD-I)

/True copy/

Sub Assistant Registrar(CS-III)

To

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

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



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

WEB COPY

+5cc to Mr.A.RAHUL, Advocate, SR.No. 89012,89013,89014,89018,89019
+5cc to Mr.D.SIVARAMAN, Advocate, SR.No.88634,88633,88632,
88631,88630

W.P. (MD) Nos.20806 to 20810 of 2018
04.10.2018

NBJ
KK/PM/SAR-3/19.12.2018/5P-14C