



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P (MD) No.20425 of 2018

P.Balakrishnan

... Petitioner

vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Division, Bypass Road, Madurai.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Dindigul Region, Bypass Road,
Dindigul.
- 3.The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents herein to revise the petitioner's salary as Rs.9,300-34,800/- Pay Band with Grade Pay of Rs.4,300/- with effect from 17.08.2016 as per the settlement under Section 12(3) of Industrial Dispute Act dated 04.01.2018 and further directing the respondents to pay difference amount in his salary for the period from 17.08.2016 to till his retirement i.e., 31.05.2017 and to pay difference in his retirement benefits including monthly pension, Wage Arrears, Gratuity, Leave Salary and all other attendant benefits payable to the petitioner together with interest at the rate of 18% by considering his representation dated 07.06.2018.

For Petitioner : Mr.J.Lawrance

For R1 and R2 : Mr.A.Jeyaram

For R3 : Mr.A.P.Muthu Pandian

ORDER

The petitioner was employed as Conductor in the respondent corporation. He retired from service on 31.05.2017. 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 07.06.2018 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 the petitioner's salary as Rs.9,300-34,800/- Pay Band with Grade Pay of Rs.4,300/- with effect from 17.08.2016 as per the settlement under Section 12(3) of Industrial Dispute Act dated 04.01.2018 and further directing the respondents to pay difference amount in his salary for the period from 17.08.2016 to till his retirement i.e., 31.05.2017 and to pay difference in his retirement benefits including monthly pension, Wage Arrears, Gratuity, Leave Salary and all other attendant benefits payable to the petitioner together with interest at the rate of 18% by considering his representation dated 07.06.2018.

2.The learned counsel for the respondents submitted that the respondents would dispose of the representation of the petitioner dated 07.06.2018 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 07.06.2018, 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 (Writs)

// True Copy //

Sub Assistant Registrar(CS-II)

TO

1.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Madurai Division, Bypass Road, Madurai.

2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Dindigul Region, Bypass Road,
Dindigul.



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

+1 CC To MR.J.LAWRANCE , Advocate SR. NO. 86932

W.P(MD)No.20425 of 2018
26.09.2018

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