



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 27.09.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)Nos.20564 to 20566 of 2018

- | | |
|--------------------|---------------------------------|
| 1. A.Neethi Nathan | ... Petitioner in WP.20564/2018 |
| 2. P.Sakthivelu | ... Petitioner in WP.20565/2018 |
| 3. R.Ravindran | ... Petitioner in WP.20566/2018 |

Vs.

1.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

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

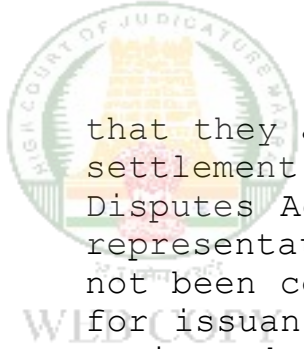
... Respondents in all Wps.

COMMON PRAYER: Petitions 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 and pension in terms of settlement entered into under Section 12 (3) of I.D Act,, dated 04.01.2018 and to pay his arrears of salary and arrears of pension and to pay the difference amount of his retirement benefits such as Pension, Gratuity, Pension Commutation, Provident Fund, Leave Salary etc., along with 6% interest per annum within a stipulated period.

For Petitioners	: Mr.C.Thangamani
(In all WPs.)	
For R1	: Mr.K.Sathiyasingh
(In all WPs.)	
For R2	: Mr.A.P.Muthupandian
(In all Wps.)	

COMMON ORDER

The petitioners were employed in the respondent Transport Corporation and retired from service as Selection Grade Senior Tradesmen and they retired from services on 30.09.2016, 31.12.2016 and 30.11.2017 respectively. The grievance of the petitioners is



that they are entitled to revision of scale of pay in terms of the settlement entered into under Section 12(3) of the Industrial Disputes Act, 1947. Since their pay was not revised, they made a representation, dated 14.09.2018 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 and pension in terms of settlement entered into under Section 12(3) of I.D Act,, dated 04.01.2018 and to pay his arrears of salary and arrears of pension and to pay the difference amount of his retirement benefits such as Pension, Gratuity, Pension Commutation, Provident Fund, Leave Salary etc., along with 6% interest per annum within a stipulated period.

2.Learned counsels for the respondents submitted that the respondents would dispose of the representation of the petitioners dated 14.09.2018 within a time frame.

3.Recording the above submissions, this Writ Petitions are disposed of directing the respondents to consider the representation of the petitioners dated 14.09.2018, in the light of the terms of settlement dated 04.01.2018 entered under Section 12(3) of Industrial Disputes Act, 1947, 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 (III)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Thiruvalluvar Illam, Pallavan Salai, Chennai - 600 002.

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

+3cc to Mr.C.Thangamani, Advocate, Sr.No.87047, 87048 & 87049.

+3cc to Mr.K.Sathiya Singh, Advocate, Sr.No.87851, 87852 & 87853.

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27.09.2018