

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2019

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.721 of 2019

B.Ravindran

...

Petitioner

Vs

1.The Management of Tamil Nadu State Transport Corporation (Kovai) Limited, rep.by its Managing Director, Coimbatore.

2. The Administrator
Tamil Nadu State Transport Employees' Pension Fund Trust, Thiruvalluvar Illam,
Anna Salai, Chennai-2.

...

Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the 1st respondent to pay the petitioner difference / arrears of wages for the period from 1.9.2016 to 31.12.2017 after revising his scale of pay w.e.f. 1.9.2016 based on the new wage settlement dated 4.1.2018 and also to pay him difference in his terminal benefits namely Gratuity Encashment of Leave and etc. based on such re fixed scale of pay payable to him on the month of his retirement together with 18 percent interest per annum and further directing the respondents to revise his pension with effect from January 2018 based on such re fixed scale of pay payable to him on the month of his retirement and to pay him arrears of the same for the period from April 2017 together with 18% interest per annum.

For Petitioner : M/s.V.Ajoy Khose

For Respondent : Mr.R.S.Selvam,

Government Advocate - for R1

Ms.Rajeni Ramadoss, Standing Counsel-for R2

O R D E R

The petitioner was working in the first respondent Corporation as 'Junior Tradesman'. He retired from service on

31.03.2017 on reaching superannuation. It is claimed by the petitioner that as per the settlement under Section 12(3) of the Industrial Disputes Act, 04.01.2018, the pay scales were revised with retrospective effect and that the petitioner, though retired on 31.03.2017, was entitled to get the benefit of refixation of monthly wages and consequent retirement benefits as per the revised pay scale. So claiming, the petitioner sent a representation to the respondents on 08.06.2018, seeking arrears of wages and the terminal benefits and pension as per the new settlement. As the same was not considered, the petitioner has filed the present writ petition seeking appropriate relief.

2. Mr.R.S.Selvam, learned Government Advocate takes notice on behalf of the first respondent and Ms.Rajeni Ramadoss, learned Standing Counsel takes notice on behalf of the second respondent. Heard the learned counsel on either side and perused the materials placed on record.

3. In view of the limited relief sought for during arguments, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would suffice to direct the concerned respondents to consider the representation of the petitioner and pass orders on the same within a particular time frame.

4. In the above circumstances, this writ petition is disposed of directing the first respondent to consider the representation of the petitioner dated 08.06.2018, and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

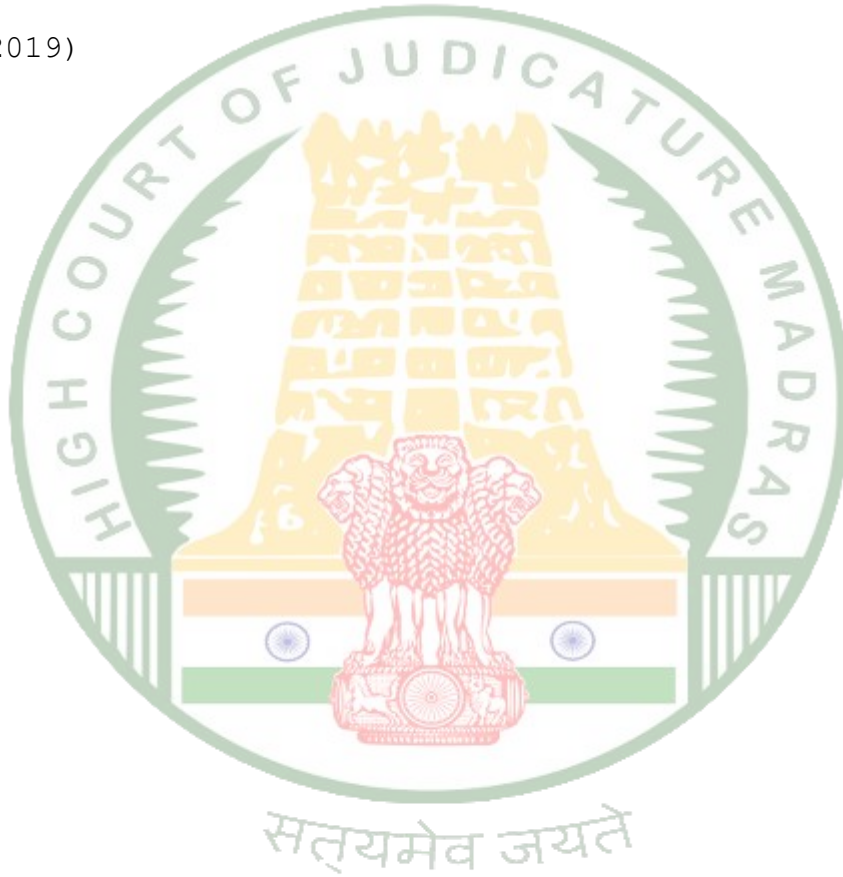
1.The Managing Director, .
Tamil Nadu State Transport
Corporation (Kovai) Limited,
Coimbatore.

2. The Administrator,
Tamil Nadu State Transport Employees' Pension
Fund Trust, Thiruvalluvar Illam,
Anna Salai, Chennai-2.

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No. 2700
+1cc to Mr.R.S.Selvam, Advocate, S.R.No. 2953

W.P.No.721 of 2019

GN (04/02/2019)



WEB COPY