

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22341 of 2019

- 1.R.Raju
- 2.E.Kailasan
- 3.P.Ramasamy
- 4.S.Sabapathy
- 5.A.Nageswaran
- 6.A.Baskaran

... Petitioners

Vs.

- 1.The Government of Tamil Nadu,
Represented by its Secretary to Government,
Transport Department,
Secretariat,
Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007.
- 3.The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007.
- 4.The Administrator
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to revise the pay for the period from 01.09.2016 to till the date of retirement of the petitioners based on the terms of settlement dated 04.01.2018 entered under Section 12 (3) of Industrial Disputes Act, 1947 and further directing the respondents to pay the difference amount in the salary for the period from 01.09.2016 to till the date of retirement of the petitioners and to pay difference in the retirement benefits including Monthly Pension, Wage Arrears, Gratuity, Leave Salary, Commuted Value of Pension, Dearness Allowance and all other attendant benefits payable to the petitioners together with 6% interest per annum based on the said settlement.

For Petitioners: Mr.N.Sudhagar Nagaraj

For Respondents: Mr.R.S.Selvam for R1
Government Advocate
Ms.Rajani S.Ramadoss for R2 to R4

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondents to revise the pay for the period from 01.09.2016 to till the date of retirement of the petitioners based on the terms of settlement dated 04.01.2018 entered under Section 12 (3) of Industrial Disputes Act, 1947 and to further direct the respondents to pay the difference amount in the salary for the period from 01.09.2016 to till the date of retirement of the petitioners and to pay difference in the retirement benefits including Monthly Pension, Wage Arrears, Gratuity, Leave Salary, Commuted Value of Pension, Dearness Allowance and all other attendant benefits payable to the petitioners together with 6% interest per annum based on the said settlement.

2.Heard the arguments advanced on either side.

3.The case of the petitioners is that the petitioners are the retired employees of the Transport Corporation. By the settlement dated 04.01.2018, the respondents agreed to grant them revised basic pay. The said settlement came into effect from 01.09.2016. Accordingly, the retiral benefits of the petitioners are liable to be revised based on the new basic pay. In this regard, the petitioners made representation to the

respondents on 11.06.2019, however, the same has not yet been considered. Hence, this writ petition.

4.The learned counsel appearing for the petitioners would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioners' representation dated 11.06.2019 and to pass appropriate orders.

5.Considering the limited request made by the learned counsel appearing for the petitioners, I am inclined to issue direction to the respondents to consider the petitioners' representation dated 11.06.2019, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

6.The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

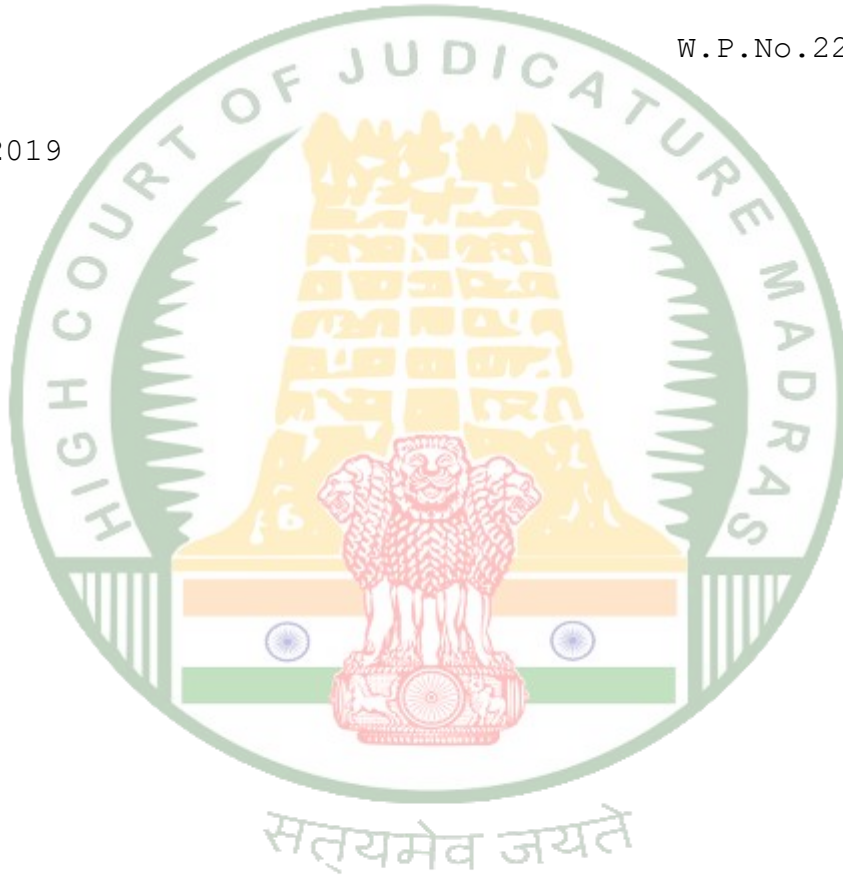
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Chennai - 600 002.

+lcc to M/s.S.Rajani Ramadoss, Advocate sr.96195
+lcc to Government Pleader SR.NO. 96538
+lcc to Mr.N.Sudhagar Nagaraj, Advocate sr.95737

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