

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27810 of 2019

N.Natarajan

... Petitioner

Vs.

1.The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
3/137, Salamedu, Vazhudhareddy
Villupuram 605 602

2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Thiruvannamalai Region
Thiruvannamalai 606 604

3.The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
No.2, Pallavan Salai
Chennai 600 002

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to implement the clause 1 & clause 5 of terms of the settlement entered on 04.01.2018 as under Section 12(3) of the Industrial Disputes Act, 1947 and as well as to implement the clause 1 of the terms of the settlement entered by the Management and Trade Unions on 13.04.2015 and to revise the payscales of the petitioner in the post of Checking Inspector from 14.08.2013 and to consequently revise the pay scales in the post of Checking Inspector from 14.08.2013 in the time scale of pay of 9300-34800 along with a grade pay of Rs.4300 along with revising the pay scale and pay the differential terminal benefits viz. quantum of Earned Leave and to rework the pensionary and gratuity calculations based on the revised payscales and to pay the difference of gratuity, commutation along with difference of pension and also to revise the dearness allowance and rate of pension by effecting the revision of pay scale as per Clause 1 & 5 of the settlement dated 04.01.2018 and Clause 1 of the settlement dated 13.04.2015 and to pay arrears

of pension.

For Petitioner : Mr.P.Paramasiva Doss
For Respondents : Mr..A.Antony Arockiaraja

O R D E R

By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that he was retired from the services on 31.05.2014. The petitioner is entitled to have the benefits arising out of the settlement entered by the Management on 13.04 entered as 12(3) Wage Settlement and in particular he is entitled for the benefits found in Clause 1 of the settlement, and entitled to have the benefits found in Clause 5 of the XIII Settlement entered on 04.01.2018. The said settlement enumerates for the benefit of revision of pay scale in the post of checking inspector from the pay band of 5200-20200 with the Grade Pay of 2400/- to be revised as 9300-3400 and a Grade Pay of 4300/-. Hence, the petitioner made a request for implementing the terms of the above settlement by making several representations in person. The last representation was made on 22.12.2018, it was not disposed of till date. Hence, the petitioner is before this Court.

3.The learned counsel for the petitioner would further submit that it would suffice if a direction is issued to the respondents to dispose of the petitioner's representation dated 22.12.2018, within a reasonable time fixed by this Court.

4.The learned counsel appearing for the respondents would accede to the request made by the learned counsel for the petitioner and submitted that the same will be considered on merits and in accordance with law.

5.Thus, without going into the merits of the case, this Court is inclined to direct the 3rd respondent to consider the representation dated 08.06.2018 made by the petitioner and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

6.With the above directions, the writ petition stands disposed of. No costs.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

kas

To

1.The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
3/137, Salamedu, Vazhudhareddy
Villupuram 605 602

2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Thiruvannamalai Region
Thiruvannamalai 606 604

3.The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
No.2, Pallavan Salai
Chennai 600 002

+1 CC to Mr.P.Paramasiva Doss, Advocate sr 81041

+1 CC to Mr.A. Antony Arockiaraja, Advocate sr 81471.

W.P.No.27810 of 2019

KK(CO)
SP(24/10/2019)

सत्यमेव जयते

WEB COPY