



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.33816 of 2019

C.Rajendran

... Petitioner

-Vs-

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem - 636 007.

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

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents i) to disperse the differential amount of Salary, Gratuity, Commutation and Leave Salary by computing last drawn salary based on the revised scale of pay and dearness allowance for the post of Senior Checking Inspector as per 12(3) settlement dated 22.01.2011 arrived at under the Industrial Disputes Act, 1947, ii) to pay the differential amount of pension based on the dearness allowance revised from the month of July, 2013 to September, 2019 and iii) to pay interest for the delayed payment of retirement benefits to the petitioner.

For Petitioner : Mr.A.Nagarathinam

For Respondents: Mr.Rajeni Ramadoss
Standing Counsel

ORDER

This writ petition has been filed for the issuance of writ of mandamus directing the respondent Transport Corporation to disburse certain amounts due and payable to the petitioner and consequently to revise the pension and pay the same with interest.



2.It is seen from records that the petitioner was working as a Conductor in the respondent Corporation. He was regularized in the services in the year 1987. The petitioner retired from service in the year 2018. According to the petitioner, the petitioner is entitled for differential amount of salary, gratuity, commutation and leave salary on the revised scale of pay and dearness allowance that is related to the post of Senior Checking Inspector as per 12(3) settlement that was arrived in the year 2011. Consequently, the petitioner is also seeking for revision of pension and payment of interest for delay in the settlement of the retirement benefits. The petitioner has given a representation to the respondents on 16.11.2019 and since the same has not been considered, the present writ petition has been filed before this Court.

3.Heard M/s.A.Nagarathinam, learned counsel appearing on behalf of the petitioner and M/s.Rajeni Ramadoss, learned Standing Counsel appearing on behalf of the respondents.

4.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner dated 16.11.2019 and pass appropriate orders, strictly in accordance with law, within a period of eight weeks from the date of receipt of copy of this order.

5.This writ petition is disposed of with the above direction. No Costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

ssr

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem - 636 007.



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

+1cc to Mr.A.Nagarathinam, Advocate sr.101206
+1cc to Mr.Rajeni Ramadoss, Advocate sr.101696

W.P.No.33816 of 2019

skv(co)
nr 07/01/2020