



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2019

CORAM:

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.14552 to 14555, 14565 and 14566 of 2019

WEB COPY

B.Ramachandran	.. Petitioner in W.P.(MD).No.14552 of 2019
G.Sudhanthiramani	.. Petitioner in W.P.(MD).No.14553 of 2019
G.Chithravadivelu	.. Petitioner in W.P.(MD).No.14554 of 2019
R.Tamilarasan	.. Petitioner in W.P.(MD).No.14555 of 2019
S.Palanithurai	.. Petitioner in W.P.(MD).No.14565 of 2019
C.Murugaiyan	.. Petitioner in W.P.(MD).No.14566 of 2019

Vs.

1.The Management of
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
represented by its
Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam Region.
Kumbakonam.

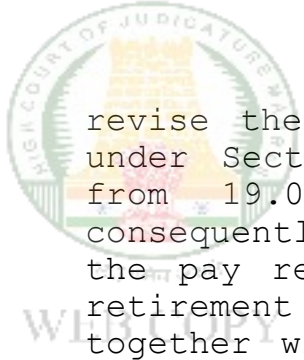
3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 2.

.. Respondents in all WPs

COMMON PRAYER: Petitions are filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents 1 to 3 to revise the petitioners' pay and grade pay in terms of Clause 5 of settlement under Section 12(3) of the I.D.Act, dated 04.01.2018 notionally from 19.07.2011, 30.10.2010 and 01.09.2010 respectively and consequently direct the respondents to revise thier pension based on the pay revision given in the settlement from the date of thier retirement and to disburse the difference amounts in the pension together with interest at the rate of 18% per annum payable from date when it became due to till the date of actual payment within the time limit that may be fixed by this Court.

For Petitioners : Mr.A.Rahul

For Respondents : Mr.P.Balasubramanian
Standing Counsel
(in all petitions)



revise the pay and grade pay in terms of Clause 5 of settlement under Section 12(3) of the I.D.Act, dated 04.01.2018, notionally from 19.07.2011, 30.10.2010 and 01.09.2010 respectively and consequently direct the respondents to revise their pension based on the pay revision given in the settlement from the date of their retirement and to disburse the difference amounts in the pension together with interest at the rate of 18% per annum payable from date when it became due to till the date of actual payment

2.The learned counsel for the petitioners submitted that the authority has to consider the grievance of the petitioners and pass orders in accordance with law and further requested that if the respondents came to the conclusion that the petitioners are eligible for the payment of pay revision arrears as per the settlement, the respondents has to settle the amount as expeditiously as possible. But, till now the respondent management has not pass any orders on the petitioner's representation.

3.Per contra, the learned standing counsel appearing for the respondents would submit that Settlement under Section 12(3) of the Industrial Disputes Act has been entered between the employees and the respondent management, on 04.01.2018, only with effect from 01.09.2016 and therefore, the petitioners are not entitled for the fixation as they claimed.

4.Considering the submissions made on both sides, this Court without expressing any opinion on merits, directs the respondents to consider the representations made by the petitioners and pass orders as expeditiously as possible preferably within a period of 12 weeks from the date of receipt of a copy of this order after providing opportunity to the petitioners.

5.With the above direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

+6cc to Mr.A.Rahul, Advocate, SR.Nos.

72326,72321,72329,72325,72322,72324

+5cc to Mr.P.Balasubramanian, Advocate, SR.Nos.

72258,72251,72252,72250,72253

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