



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.03.2019**

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. [MD] No. 5201 of 2019

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C. Bose Packiaraj

: Petitioner

Vs.

1. The Management of Tamil Nadu

State Transport Corporation (Tirunelveli) Ltd.,

Tirunelveli Region

Rep. by its Managing Director,

Tirunelveli.

2. The Administrator,

Tamil Nadu State Transport Employees'

Pension Fund Trust,

Thiruvalluvar Illam,

Anna Salai,

Chennai-2.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to revise the scale of pay of the petitioner w.e.f. 01.09.2013 based on the wage settlement dated 13.04.2015 and consequently, to revise his terminal benefits namely Gratuity, etc., based on such revised scale of pay payable to him on the month of his retirement i.e., December, 2013, together with 18% interest per annum and further, directing the respondents to revise his monthly pension with effect from January, 2014, based on such revised scale of pay payable to him on the month of his retirement i.e., December, 2013 and to pay him arrears of the same for the period from January, 2014, together with 18% interest per annum, within a time frame, as may be fixed by this Court.

For Petitioner

: Mr. S. Arunachalam

For Respondents

: Mr. K. Sathiyasingh

O R D E R

Seeking revision of pay scale based on the wage settlement dated 13.04.2015, revision of terminal benefits and monthly pension with interest at the rate of 18% per annum, the petitioner has filed the present Writ Petition.

2. Mr. K. Sathiyasingh, learned Standing Counsel, takes notice on behalf of the respondents.

<https://hcservices.ecourts.gov.in/hcservices/>

3. By consent, the Writ Petition is taken up for final



disposal at the stage of admission itself.

4. The petitioner was employed as a Conductor in the first respondent Corporation and he voluntarily retired from service on 31.12.2013 as Special Grade Conductor.

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5. The grievance of the petitioner is that he is entitled to get the benefits of pay revision as per 12(3) settlement dated 13.04.2015 and also other terminal benefits. Since the revised retirement benefits have not been granted to the petitioner as per the above settlement, he made a representation dated 04.05.2018 to the first respondent and the same is pending without consideration. Therefore, the petitioner is before this Court seeking the above said relief.

6. The learned Standing Counsel appearing for the respondents would submit that if a reasonable time is granted to the first respondent, the representation of the petitioner will be considered and suitable orders will be passed.

7. Considering the facts and circumstances of the case, without going into the merits of the petitioner's claim, the first respondent is directed to consider the petitioner's representation dated 04.05.2018 on the basis of 12(3) settlement dated 13.04.2015 and also in the light of any other subsequent settlement and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner.

8. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-52167[F] dated 07/03/2019)

+1 CC to M/s.S.ARUNACHALAM, Advocate (SR-52169[F] dated 07/03/2019)

SML

Order made in
W.P. [MD] No. 5201 of 2019
06.03.2019