



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE. R.MAHADEVAN

W.P(MD)No.6222 of 2019

G.Mohan

... Petitioner

Vs.

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

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

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

... Respondents

PRAYER : Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to revise his pay as per the Settlement under Section 12(3) of the Industrial Disputes Act, dated 04.01.2018 with retrospective effect from 01.09.2016 and consequently, directing the respondents to revise and refix his retirement benefits and to disburse difference amounts in his salary for the period from 01.09.2016 to 31.08.2017 difference amounts in monthly pension, commuted value of pension, gratuity and difference amount in earned leave salary to him with interest at the rate of 18% per annum payable from 01.09.2016 to till the date of actual payment within the time stipulated by this Court.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>
This writ petition has been filed seeking a direction to the respondents to revise his pay as per the Settlement with retrospective effect from 01.09.2016 and consequently, directing the



respondents to revise and refix his retirement benefits and to disburse difference amount in monthly pension etc., within the time stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3. It is the case of the petitioner that he was employed as a Helper and he retired from service on 01.12.1981, on reaching the age of superannuation. According to him, he is entitled to get the benefits of pay revision, as per 12(3) settlement dated 04.01.2018 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 14.07.2018 to the respondents and the same is pending without consideration. Therefore, the petitioner is before this Court seeking the above said relief.

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

5. In view of the submission made by the learned counsel appearing for the respondents, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation, dated 14.07.2018 on the basis of 12(3) settlement dated 04.01.2018 and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (CS-I)

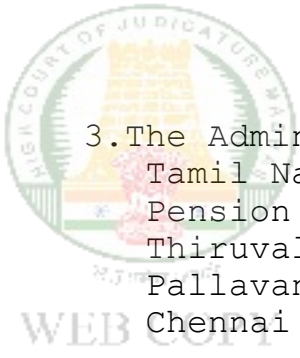
/True Copy/

Sub Assistant Registrar

To

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

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



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

+1CC TO Mr.A.Rahul, Advocate, Sr no.54566
+1CC TO Mr.D.Sivaraman, Advocate, Sr No.54460

W.P (MD) No.6222 of 2019
15.03.2019

ps
MS/15.04.2019/3P.6C