

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 21.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.6668 of 2019**

WEB COPY

D.Sathasivan Nair

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Rep. by its Managing Director,
Vannarapettai, Tirunelveli - 627 003.

2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Tirunelveli Division,
Nagercoil Region, Rani Thottam, Nagercoil.

3.The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to re-fix his last drawn pay by updating three years increments and to pay the difference in salary, difference in terminal benefits and also revise his pension with arrears based on the award passed by the Labour Court, Tirunelveli in I.D.No.34 of 2017, dated 01.08.2017 payable to him and all other attendant benefits within the stipulated period.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.K.Sathya Singh

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondents to re-fix last drawn pay by updating three years increments and to pay the difference in salary and terminal benefits and also revise the pension with arrears and other benefits to the petitioner based on the award passed by the Labour Court, Tirunelveli in I.D.No.34 of 2017, dated 01.08.2017.

2. Heard the learned counsel appearing for the petitioner and Mr.K.Sathya Singh, learned counsel, who takes notice for the respondents. By consent, the Writ Petition is taken up for disposal at the admission stage itself.



3.The learned counsel appearing for the respondents submitted that the only remedy available to the petitioner is to file a claim petition. Without filing the same, the petitioner has approached this Court by way of this Writ Petition.

4.Now, the learned counsel appearing for the petitioner seeks liberty to file a claim petition before the Court concerned.

5.In view of the above, this Writ Petition is disposed of, granting liberty to the petitioner to file a claim petition before the Labour Court concerned within a period of two weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-III)

/ True Copy /

Sub Assistant Registrar(CS)

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Vannarapettai, Tirunelveli - 627 003.
- 2.The General Manager,
Tamil Nadu State Transport Corporation Limited,
Tirunelveli Division,
Nagercoil Region, Rani Thottam,
Nagercoil.
- 3.The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+1 CC to M/s.K.SATHIYA SINGH, Advocate
(SR-56208[F] dated 25/03/2019)

+1 CC to M/s.A.K.THANGAVELU, Advocate
(SR-56175[F] dated 25/03/2019)

W.P(MD)No.6668 of 2019
21.03.2019

PS