



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:29.03.2019
CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD)Nos.7487 to 7489 of 2019

W.P(MD)No.7487 of 2019

K.Muthuramalingam

... Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
New Railway Feeder Road,
Kumbakonam - 612 001.

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

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to revise petitioners Pay and Pension in terms of settlement entered into under section 12(3) of the ID Act dated 04.01.2018 and to pay arrears of salary and arrears of pension and to pay the difference amount of petitioner retirement benefits such as Pension Gratuity Pension Commutation Provident Fund Leave Salary etc along with 6% interest per annum within a stipulated period.

W.P(MD)No.7488 of 2019

M.Kaleeswaran

... Petitioner

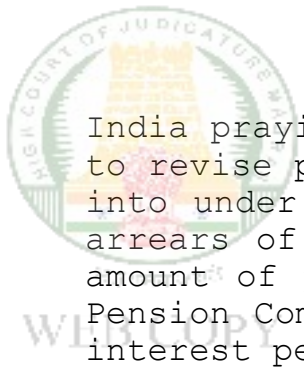
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<https://hcservices.ecourts.gov.in/hcservices/>

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W.P(MD)No.7489 of 2019

M.Chellapandi

... Petitioner

vs.

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Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
New Railway Feeder Road,
Kumbakonam - 612 001.

2.The Administrator,
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PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to revise petitioners Pay and Pension in terms of settlement entered into under section 12(3) of the ID Act dated 04.01.2018 and to pay arrears of salary and arrears of pension and to pay the difference amount of petitioner retirement benefits such as Pension Gratuity Pension Commutation Provident Fund Leave Salary etc along with 6% interest per annum within a stipulated period.

(In all W.Ps)

For Petitioner : Mr.C.Thangamani

For Respondents : Mr.D.Sivaraman

COMMON ORDER

These Writ Petitions have been filed seeking a direction to the respondents to revise the petitioners' Pay and Pension, in terms of settlement entered into under section 12(3) of the ID Act dated 04.01.2018 and to pay the arrears of salary and pension and also pay the difference amount of the petitioner's retirement benefits, such as Pension, Gratuity Pension Commutation, Provident Fund Leave Salary, etc along with 6% interest per annum within a stipulated period.



2. Heard the learned counsel for the petitioners and the learned Standing Counsel for the respondents. By consent, the Writ Petitions are taken up for final disposal at the stage of admission itself.

3. According to the petitioners, they were employed in the respondents Transport Corporation and they retired from service on reaching the age of superannuation. The grievance of the petitioners is that they are entitled to get the benefits of pay revision as per Section 12(3) settlement dated 04.01.2018 and also other terminal benefits. Since the revised retirement benefits have not been granted to the petitioners as per the above settlement, they made representations 20.02.2019, 19.02.2019 and 20.02.2019 respectively to the respondents and the same are pending without consideration. Therefore, the petitioners are before this Court seeking the above said relief.

4. The learned Counsel for the petitioners submitted that it would suffice, if the representations of the petitioners are directed to be considered by the respondents on merits.

5. The learned Standing Counsel appearing for the respondents submitted that if a reasonable time is granted to the respondents, the representations of the petitioners will be considered and suitable orders will be passed.

6. Considering the facts and circumstances of the case and having regard to the submissions made by the learned Counsel on either side, the respondents are directed to consider the petitioners' representations, dated 20.02.2019, 19.02.2019 and 20.02.2019 respectively, on the basis of Section 12(3) settlement dated 04.01.2018 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 eight weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioners.

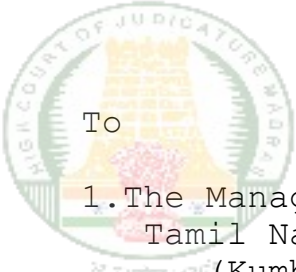
7. All the writ petitions are disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)



To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
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2.The Administrator,
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Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.D.SIVARAMAN, Advocate, SR.No. 57905

+3cc to Mr.C.Thangamani, Advocate, SR.No. 58186,58185,58184

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SSL

KK/SAR/23.04.2019/ 4P- 7C

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