



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 24.04.2019
CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD) Nos.9890 to 9894 of 2019

WEB COPY

P.Karuppaiah ... Petitioner in WP(MD)No.9890/2019
S.Pandikumar ... Petitioner in WP(MD)No.9891/2019
V.Gopalakrishnan ... Petitioner in WP(MD)No.9892/2019
S.Pugalenthil ... Petitioner in WP(MD)No.9893/2019
L.Sivakumar ... Petitioner in WP(MD)No.9894/2019

vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam - 612 001.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
Karaikudi Region,
Maruthupathi, Managiri,
Karaikudi - 630 307.
- 3.The Administrator,
Ramil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 2. ... Respondents in all the Writ petitions.

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to revise the petitioners' pay as per the settlement U/s. 12(3) of the I.D. Act dated 04.01.2018 with retrospective effect from 01.09.2016 and consequently directing the respondents to revise and re-fix the petitioners retirement benefits and to disburse difference amounts in the petitioners' monthly pension, commuted value of pension, gratuity, Earned Leave Salary to the petitioners with interest at the rate of 18% per annum payable from 01.09.2016 to till the date of actual payment to be made by the respondents.



For Petitioners : Mr.SP.Vijay Nivas
For Respondents : Mr.D.Sivaraman
in all the writ petitions.

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COMMON ORDER

These writ petitions have been filed seeking a direction to the respondents to revise the petitioners' pay as per the settlement entered under Section 12(3) of the Industrial Disputes Act, dated 04.01.2018, with retrospective effect from 01.09.2016 and pay difference amount in the petitioners' monthly pension, commuted value of pension, gratuity, Earned Leave Salary etc., with interest at the rate of 18% per annum, payable from 01.09.2016 to till the date of actual payment to be made by the respondents.

2.Heard the learned counsel appearing 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.The learned counsel appearing for the petitioners submitted that the petitioners served in the respondent Corporation in their respective posts as mentioned in the writ petitions and as per the settlement entered under Section 12(3) of the Industrial Disputes Act, dated 04.01.2018, the petitioners are entitled to revised scale of pay. Since their pay was not revised, they made representations dated 30.03.2019, 01.04.2019, 28.03.2019, 28.03.2019 and 22.03.2019 respectively to the respondents and the same have not been considered so far. Hence, the petitioners are before this Court.

4.The learned Standing Counsel appearing for the respondents submitted that the representations of the petitioners would be considered on merits and appropriate orders be passed.

5.In view of the above submission, these Writ Petitions are disposed of, directing the respondents to consider the representations of the petitioners dated 30.03.2019, 01.04.2019, 28.03.2019, 28.03.2019 and 22.03.2019 respectively, in terms of the settlement entered under Section 12(3) of the Industrial Disputes Act, 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 affording an opportunity of hearing to the petitioners. No costs.

Sd/-

Assistant Registrar (AE)

/ True Copy /



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Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

+5 CC to M/s.SP.VIJAY NIVAS, Advocate (SR-62033, 62034, 62035,
62036, 62037[F] dated 24/04/2019)

+5 CC to M/s.D.SIVARAMAN, Advocate (SR-62232, 62231, 62230,
62229, 62228[F] dated 24/04/2019)

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