



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:02.04.2019
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.7674 of 2015

WEB COPY

N.Krishnamoorthy

... Petitioner

vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Bye-pass Road,
Madurai 625 016.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other appropriate writ or orders or directions in the nature of writ directing the respondent to pay all the petitioner's terminal benefits including the monthly pension along with 18% interest by taking into account the service rendered by the petitioner from the date of petitioner's entry in to service till the date of petitioner's superannuation on 31.03.2007 and consequential benefits.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.A.P.Muthupandian

ORDER

The Writ Petition has been filed seeking a direction to the respondent to pay all the petitioner's terminal benefits including the monthly pension along with 18% interest by taking into account the service rendered by the petitioner from the date of petitioner's entry into service till the date of petitioner's superannuation on 31.03.2007 and consequential benefits.

2. Heard the learned Counsel appearing for the petitioner and Mr.A.P.Muthupandian, learned Standing counsel appearing for the respondent.

3. The case of the petitioner is that he entered into the service of the respondent Corporation in the year 1973 as a Driver. Finally, he was promoted as a Special Grade Driver. On 24.07.1995, he was dismissed from service due to an alleged mis-conduct. Against the said dismissal order, he raised an Industrial Dispute before the Labour Court, Madurai in I.D.No.220/2001. The Labour Court set aside the order of dismissal and directed the respondent to reinstate the petitioner into service without backwages, but other



benefits, by an Award dated 21.09.2007. When the Industrial Dispute was pending, he retired from service on 31.03.2007. According to the petitioner, he is entitled to the retirement benefits. Hence, he made representations to the respondent. Since there was no response, the present writ petition has been filed.

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4. Though a larger relief is sought for by the petitioner, the learned counsel for the petitioner, during the course of argument, restricted the same to the extent of directing the respondents to consider the representation of the petitioner dated 16.12.2013, in the light of the award passed by the Labour Court, for which, the learned counsel appearing for the respondent has no serious objection.

5. In view of the above submission, this Court directs the respondent to consider the representation of the petitioner dated 16.12.2013, in the light of the Award passed by the Labour Court in I.D.No.220/2001, dated 21.09.2007 and Claim Petition No.105/2009, dated 30.08.2011 and pass appropriate orders, if not already passed. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

To

The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Limited,
Bye-pass Road, Madurai 625 016.

+1 CC to M/s.S.GOVINDAN, Advocate (SR-58357[F] dated 02/04/2019)

vs

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