



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P (MD) .No. 16624 of 2019

Sarangapani

: Petitioner

Vs.

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

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

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

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the respondents to revise the petitioner's scale of pay in the post of Checking Inspector, with effect from 01.09.2010 as per the settlement under Section 12(3) of the Industrial Disputes Act, dated 22.01.2011 and consequently, direct the respondents to pay him difference in salary from 01.09.2010 to 30.09.2010 and difference amounts in his terminal benefits payable to him including difference in gratuity, difference in terminal leave salary, difference in commuted value of pension and difference amount in monthly pension payable to the petitioner based on 11th wage settlement, dated 22.01.2011 together with interest at 18% per annum payable from the date of his retirement to till the date on which the above monetary



benefits are settled to the petitioner.

For Petitioner

: Mr. A. Rahul

For Respondents

: Mr.P. Balasubramanian
Standing counsel

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ORDER

This Writ Petition has been filed seeking direction to the respondents to revise the petitioner's scale of pay, for the post of Checking Inspector w.e.f., 01.09.2010, as per the settlement under Section 12(3) of the Industrial Disputes Act, dated 22.01.2011 and also sought direction to pay the difference in salary, for the period from 01.09.2010 to 30.09.2010 and the difference amounts in his terminal benefits, based on the 11th wage settlement, dated 22.01.2011 together with interest at 18% per annum, payable from the date of his retirement to till the date on which the above monetary benefits are settled to the petitioner.

2. Mr. P. Balasubramanian, learned standing counsel takes notice for the respondents. By consent of both parties, the instant writ petition is taken up for final disposal at the stage of admission itself.

3. The grievance of the petitioner is that he seeks direction to revise the petitioner's pay and his terminal benefits including pension, gratuity, earned leave salary and other terminal benefits, in accordance with 12(3) wage settlement, dated 22.01.2011.

4. Though this petition has been filed to give a positive direction to the respondents, the learned counsel appearing for the petitioner submitted that the petitioner will be satisfied, if a direction is issued to the respondents, to consider the representation of the petitioner.

5. The learned standing counsel appearing for the respondents has submitted that the representation of the petitioner will be considered on merits, within a specified time that may be fixed by this Court.

6. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the petitioner case, this Court directs the respondents to consider the petitioner's representation, dated 27.02.2019 on merits and in accordance with law, and pass necessary orders, within a period of Eight (8) Weeks, from the date of receipt of a copy of

this order.



7. With the above directions, this Writ Petition is disposed of. No Costs.

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// True Copy //

Sd/-

Assistant Registrar (Writs)

Sub Assistant Registrar (CS)

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam Region, Kumbakonam.
3. The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvallurvar Illam,
Pallavan Salai, Chennai - 2.

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-78033[F] dated
26/07/2019)

WP (MD) .No. 16624 of 2019
26.07.2019

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