



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2019

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.18543 of 2019

R.Murugesan

...Petitioner

Vs.

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

2.The Financial Advisor,
Tamil Nadu State Transport Corporation
(MDU) Ltd.,
Bye pass Road,
Madurai - 625 016.

3.The Administrator,
TNSTC Employees Pension Trust,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai - 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to revise the Pay/Pension enhancing to 2.44% as multiplier with effect from 01.09.2016 as per the 13th Wage Settlement made on 04.01.2018 and also the revised pension benefits and other revised terminal benefits like Gratuity Arrears, Leave Salary Arrears and Pension Arrears, etc in the new scale of pay with interest at the rate of 12% per annum payable from the date of retirement of the petitioner to till the date of payment for the said monetary benefits based on the 13th Wage Settlement, dated 04.01.2018, settled to the petitioner within a stipulated time frame as fixed by this Court.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.J.Senthil Kumaraiah
Standing Counsel



ORDER

This Writ Petition has been filed seeking a direction to the respondents to revise the Pay/Pension enhancing to 2.44% as multiplier with effect from 01.09.2016 as per the 13th Wage Settlement made on 04.01.2018 and also the revised pension benefits and other revised terminal benefits like Gratuity Arrears, Leave Salary Arrears and Pension Arrears, etc., in the new scale of pay with interest at the rate of 12% per annum payable from the date of retirement of the petitioner to till the date of payment for the said monetary benefits based on the 13th Wage Settlement, dated 04.01.2018, settled to the petitioner, within a stipulated time frame as fixed by this Court.

2.Mr.J.Senthil Kumaraiah, learned Standing Counsel takes notice for the respondents. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The learned counsel for the petitioner would submit that with reference to the prayer sought for in this Writ Petition, the petitioner sent a representation to the first respondent on 05.07.2019. But, no action has been taken till date. Hence, the petitioner is before this Court for the relief stated supra.

4.In reply, the learned Standing Counsel appearing for the respondents would submit that the petitioner's representation dated 05.07.2019 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In agreement with the submission made by the learned Standing Counsel appearing for the respondents, without expressing any opinion on the merits of the case, this Court directs the first respondent to consider the representation of the petitioner, dated 05.07.2019 on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

/TRUE COPY/

Sub Assistant Registrar

To

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

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



2.The Financial Advisor,
Tamil Nadu State Transport Corporation
(MDU) Ltd.,
Bye pass Road,
Madurai - 625 016.

3.The Administrator,
TNSTC Employees Pension Trust,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai - 600 002.

+1 CC to M/s.J. SENTHIL KUMARAI AH, Advocate (SR-83934[F] dated
28/08/2019)

+1 CC to M/s.K.GOKUL, Advocate (SR-84715[F] dated 30/08/2019)

W.P. (MD) No.18543 of 2019
28.08.2019

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JM/18.09.2019/3P/6C