



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:26.03.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P(MD)No.9019 of 2016

R.Jeyam

... Petitioner

vs.

1.The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Maruthupathi,
Karaikudi,
Sivagangai.

3.The Administrator,
Tamil Nadu State Transport Corporation Pension
Fund Trust,
Tiruvalluvar House,
Pallavan Salai,
Chennai.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to settle the petitioners retirement benefits including Commutation of Pension pending pension Amount for 36 months and other benefits payable to him as per the settlement dated 01.09.2013 U/S. 12(3) of I.D. Act based on his representation dated 12.04.2016 with reasonable rate of interest within the time that may be stipulated by this Court.

For Petitioner : Mr.G.M.Xavier

For Respondents : Mr.D.Sivaraman

**ORDER**

This writ petition has been filed seeking to direct the respondents to consider the petitioner's representation dated 12.04.2016 and settle his retirement benefits including Commutation of Pension, pending pension amount for 36 months and other benefits payable to him, as per 12(3) settlement dated 01.09.2013 with interest, within a time frame to be stipulated by this Court.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents and perused the materials available on record.

3. According to the petitioner, he was employed in the first respondent Corporation and he retired from service on reaching the age of superannuation.

4. The grievance of the petitioner is that he is entitled to get the benefits of pay revision as per 12(3) settlement dated 01.09.2013 and also other terminal benefits. Since the revised retirement benefits have not been granted to the petitioner, as per the above settlement, he made a representation dated 12.04.2016 to the respondents and the same is pending without consideration. Therefore, the petitioner is before this Court seeking the above said relief.

5. The learned Standing Counsel appearing for the respondents would submit that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and suitable orders will be passed.

6. In view of the submission made by the learned Standing Counsel appearing for the respondents, the respondents are directed to consider the petitioner's representation, dated 12.04.2016 on the basis of 12(3) settlement dated 01.09.2013 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 petitioner.

7. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)



To

1. The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Maruthupathi,
Karaikudi,
Sivagangai.
3. The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Tiruvalluvar House,
Pallavan Salai, Chennai.

+1CC TO MR.G.M.XAVIER, Advocate Sr. No.57263
+1CC TO MR.D.SIVARAMAN, Advocate Sr. No.56987

W.P(MD)No.9019 of 2016
26.03.2019

NRK(CO)
TR (03.05.2019) 3P 6C