



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.23970 of 2019

WEB COPY

S.Panneerselvam

... Petitioner

-Vs-

1.The General manager,
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
Periyamilaguparai,
Trichy.

2.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to settle the 53 months of arrears of pension of Rs.71,921/- as per the Section 12(3) of the Industrial Disputes Act, 1947 12th Settlement dated 13.04.2015 by the respondent corporation payable to the petitioner with 18% rate of interest within the time frame that may be stipulated by this Court.

For Petitioner	: Mr.N.Sudhagar Nagaraj
For R1	: Mr.D.Sivaraman
For R2	: Mr.A.Swaminathan

ORDER

This Writ Petition is filed to direct the respondents to settle the 53 months of arrears of pension of Rs.71,921/- as per the Section 12(3) of the Industrial Disputes Act, 1947 12th Settlement dated 13.04.2015 by the respondent corporation payable to the petitioner with 18% rate of interest within the time frame that may be stipulated by this Court.

2.Mr.D.Sivaraman, learned counsel takes notice on behalf of the first respondent and Mr.A.Swaminathan, learned counsel takes notice on behalf of the second respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.



3. According to the petitioner, he joined the services of the respondent Corporation on 05.03.1979 and retired on 30.11.2013. The respondents are bound to settle the arrears of pension amount as per settlement dated 13.04.2015 entered under Section 12(3) of the Industrial Dispute Act, 1947. But, the respondents have not paid the arrears of pension. Therefore, the petitioner has given a representation dated 24.10.2019, to the respondents, seeking arrears of pension under the above settlement. However, no order has been passed thereon. Hence, the petitioner has come out with the present Writ Petition.

4. Considering the nature of relief sought for by the petitioner, this Court directs the respondents to consider the representation of the petitioner, dated 24.10.2019 on merits and pass appropriate orders, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar(CS)

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+1 CC to Mr.D.SIVARAMAN, Advocate (SR-98711[F] dated 15/11/2019)

+1 CC to Mr.N.SUDHAGAR NAGARAJ, Advocate (SR-98796[F] dated 15/11/2019)

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