

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :07.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.193 of 2020

K.Kalaiarasan

...Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem - 636004.

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

...Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the Social Welfare fund, E.L.Surrender and IRTT Refund amount with interest ii) to pay the differential arrears of salary based on revised grade pay with effect from 01.07.2015 and house rent allowance with effect from 01.09.2016 for the post of Senior Checking Inspector and iii) to pay the differential arrears of Gratuity, Leave Salary Pension and commutation by computing last drawn salary based on the revised scale of pay and dearness allowance and iv) to pay interest at the rate of 6% per annum for the delayed payment of retirement benefits.

For Petitioner : Mr.A.Nagarathinam

For Respondents: Mr.D.Raghu,
Standing Counsel

O R D E R

This writ petition has been filed for the issue of writ of mandamus directing the respondents to settle the salary and allowance of the petitioner including the retirement benefits with interest.

2. The case of the petitioner is that he entered the service of the respondent corporation as a conductor in the year 1983 and he was promoted as a Senior Checking Inspector in the year 2015. According to the petitioner, there was a settlement under Section 12(3) of the Industrial Disputes Act. The petitioner retired from service on attaining superannuation on 30.04.2019.

3. The grievance of the petitioner is that the respondent corporation has not paid the arrears of salary, the difference in the payment of retirement benefits and arrears of pension for the delayed payment. The petitioner has made a representation on 19.10.2019 in this regard to the respondents and since the same did not evoke any response, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 19.10.2019 and pass orders strictly in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with the copy of the representation dated 19.10.2019 and also a copy of this order.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

rka

TO:

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem - 636007.
2. The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Trust,
Administrative Office,
Thiruvalluvar House,
Pallavan Salai,
Chennai 600 002.

+lcc to Mr.A.Nagarathinam, Advocate sr.1401

+lcc to Mr.D.Raghu, Advocate sr.1268

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