



WEB COPY

W.P.(MD)No.18894 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P. (MD)No.18894 of 2020

and

W.M.P. (MD)No.15828 of 2020

V.Abudagir

... Petitioner

Vs.

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

2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Bye Pass Road,
Dindigul - 4.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to grant 4th review benefit on completion of 27 years of service and 5th review benefit on completion of 32 years of service in view of the 33 years of service rendered by the petitioner as on date in terms of Clause 3 of the 12(3) Settlement, dated 04.01.2018 providing for Review Benefits 6+7+7+7+5=32 years with arrears of review benefits along with interest at the rate of 18% p.a.

For Petitioner : Mr.S.Govindan
For Respondents : Mr.T.Senthil Kumariah

ORDER

This writ petition has been filed to direct the respondents to grant 4th review benefit on completion of 27 years of service and 5th review benefit on completion of 32 years of service in view of the 33 years of service rendered by the petitioner as on date in terms of Clause 3 of the 12(3) Settlement, dated 04.01.2018 providing for Review Benefits 6+7+7+5=32 years with arrears of review benefits along with interest at the rate of 18% per annum.

2.The learned counsel appearing for the petitioner submitted that petitioner is entitled to get the 4th and 5th Review Benefits as per 12(3) Settlement, dated 04.01.2018. Therefore, he had given a representation to the respondents in this regard. Since, the respondents did not take any steps, this writ petition has been filed before this Court, seeking appropriate directions.



3.The learned standing counsel appearing for the respondents submitted that the petitioner gave representation dated 05.11.2020 and the same will be considered in terms of 12(3) Settlement, dated 04.01.2018.

4.On a perusal of 12(3) Settlement, dated 04.01.2018, it appears that the petitioner is entitled to get 4th and 5th Review Benefits, since the petitioner rendered 33 years service in the respondent/Corporation. Therefore, this Court directs the respondents to consider the representation of the petitioner dated 05.11.2020 and pass orders in the light of 12(3) Settlement, within a period of eight weeks from the date of receipt of a copy of this order.

5.The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ias

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

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

2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Bye Pass Road,
Dindigul - 4.

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