



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2020

CORAM

THE HONOURABLE **MR.JUSTICE KRISHNAN RAMASAMY**

W.P. (MD)No.19052 of 2020

V.Balasubramanian

... Petitioner

Vs.

1.The Management of State Express Transport Corporation (Tamilnadu) Ltd.,
Represented by its Managing Director,
Pallavan Salai, Chennai.

2.The General Manager,
The State Express Transport Corporation (Tamil Nadu) Ltd.,
Pallavan Salai,
Chennai.

3.The Administrator,
Tamilnadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House, Pallvan Salai,
Chennai - 2.

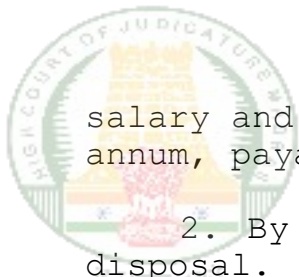
...Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to revise the petitioner's pay as per the Settlement under Section 12 (3) of the I.D.Act dated 04.01.2018 with retrospective effect from 01.09.2016 and consequently directing the respondents to revise and re-fix his retirement benefits and to disburse difference amounts in his gratuity, leave salary and commutation to him with interest at the rate of 18% per annum payable from 01.04.2017 to till the date of actual payment, within the time limit that may be fixed by this Court.

For Petitioner	: Mr.A.Rahul
For Respondents	: Mr.R.Rajmohan
	Standing counsel

O R D E R

This writ petition has been filed for a direction to the respondents to revise the petitioner's pay, as per the Settlement under Section 12(3) of the I.D. Act, dated 04.01.2018, with retrospective effect from 01.09.2016 and to re-fix his retirement benefits and to disburse the difference amount in gratuity, leave



salary and commutation, to him, with interest at the rate of 18% per annum, payable from 01.04.2017 to till the date of actual payment.

2. By consent, the writ petition itself is taken up for final disposal.

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3. The learned counsel appearing for the petitioner submitted that the petitioner was retired from service on 31.03.2017, from the post of Selection Grade Senior Conductor. Subsequently, a settlement under Section 12(3) of the I.D. Act was entered into between the first respondent Management and the Trade Unions on 04.01.2018 and the pay of all the Transport Corporation Employees was revised. Therefore, the petitioner is entitled to get difference amount in gratuity, leave salary and commutation. Hence, the petitioner has given a representation dated 15.09.2020, to the respondents. However, no order has been passed so far. Hence, the petitioner has filed the present writ petition.

4. Mr.R.Rajmohan, learned Standing counsel takes notice for the respondents and submitted that the representation of the petitioner, dated 15.09.2020, will be considered by the respondents, within a period of eight weeks time.

5. Considering the above said submissions, this Court directs the respondents to consider the representation of the petitioner, dated 15.09.2020, on merits and in accordance with law and to pay the difference amount in gratuity, leave salary and commutation of pension, as per the settlement dated 04.01.2018, within a period of eight 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

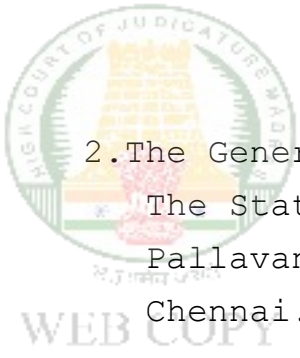
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Sub Assistant Registrar(CS)

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To

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Corporation (Tamilnadu) Ltd.,
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Pallavan Salai, Chennai.



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Pallavan Salai,
Chennai.

3.The Administrator,
Tamilnadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House, Pallvan Salai,
Chennai - 2.

+ 1cc to Mr.A.RAHUL, ADVOCATE, SR NO.26966

+ 1cc to Mr.R.RAJA MOHAN, ADVOCATE, SR NO.26884

W.P. (MD) No.19052 of 2020
22.12.2020

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