



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2020

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THE HONOURABLE **MR.JUSTICE KRISHNAN RAMASAMY**

W.P.(MD)No.19109 of 2020

M.Sivaperumal

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Byepass Road,
Madurai.

2.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 01.10.2016 to till the date of actual payment, within the time limit that may be fixed by this Court.

For Petitioner : Mr.A.Rahul

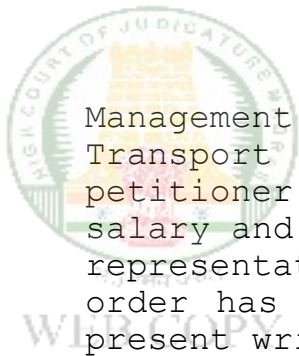
For Respondents : Mr.J.Senthil Kumariah
Standing counsel

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 01.10.2016 to till the date of actual payment.

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

3. The learned counsel appearing for the petitioner submitted that the petitioner was retired from service on 30.09.2016, from the post of Foreman. 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 of pension. Hence, the petitioner has given a representation dated 14.09.2020, to the respondents. However, no order has been passed so far. Hence, the petitioner has filed the present writ petition.

4. Mr.J.Senthil Kumariah, learned Standing counsel takes notice for the respondents and submitted that the representation of the petitioner, dated 14.09.2020, 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 14.09.2020, 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 (RTI)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

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

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

+1CC to Mr.A.Rahul, Advocate, SR.No.26965 dated 23/12/2020

W.P. (MD)No.19109 of 2020
22.12.2020

PU(CO)

KB(02.02.2021) 2P 4C
<https://hcservices.ecourts.gov.in/hcservices/>