



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2021

CORAM:

THE HONOURABLE DR.JUSTICE ANITA SUMANTH

W.P. (MD) .No.18608 of 2018

S.Akbar Batcha

... Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Byepass Road,
Madurai - 16.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Madurai Region,
Byepass Road,
Madurai - 16.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai,
Thiruvalluvar Illam,
Chennai -2.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to grant the 5th Review Benefit with effect from 15.12.2012 on completion of 32 years of service from the date of joining on 16.12.1980 as per the 12(3) Settlement dated 22.01.2011 and consequently to Revise the Pay and Pension of the petitioner with all monetary and service benefits.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.J.Senthil Kumaraiah
Standing counsel



O R D E R

The prayer of the petitioner is for a direction to the respondents being the authorities of the Tamil Nadu State Transport Corporation (Madurai) Limited, to grant 5th Review Benefit with effect from 15.12.2012, upon completion of 32 years of service from date of his joining, being 16.12.1980, as per Section 12(3) Settlement, dated 22.01.2011. He thus seeks revision of pay and pension with all monetary and service benefits.

2. Some attempts were made by the parties both before my predecessor as well me, to reconcile the claims of the petitioner and the stand of the respondents in regard to the specific entitlement of the petitioner under Section 12(3) Settlement.

3. Voluminous documents are produced before this Court by both learned counsel as an attempt in the aforesaid direction. However, as it would not be appropriate for this Court to delve into aspects of computation to reconcile the differences in computation, in a writ petition I direct the respondents to do so, after receiving a detailed computation/statement from the petitioner in regard to what the petitioner believes he is entitled to.

4. To clarify, the petitioner is permitted to raise a demand of his entitlement under the Section 12(3) Settlement dated 22.01.2011 and such demand if and when received, shall be disposed promptly, in any event within a period of four weeks from the date of receipt of such demand, after hearing the petitioner. In so deciding, the authority shall take into account all relevant Rules, Regulations and Orders.

5. This Writ Petition is disposed as above. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

akv

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

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Employees Pension Fund Trust,
Pallavan Salai,
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ORDER MADE IN
W.P. (MD) .No.18608 of 2018
03.12.2021

_RD(02.02.2022) 3P 4C