

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.NO.18622 OF 2014

P.Shanmugam

... Petitioner

Vs.

1. Tamil Nadu State Transport Corporation (Villupuram) Ltd. Rep. by its Managing Director, 3/137, Salamedu, Vazhudareddy Post, Villupuram.
2. The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Ltd., Vellore Region, Rangapuram, Vellore-632009.
3. Tamil Nadu State Transport Corporation Employees Pension Fund Trust, Rep. by its Administrator, Thiruvalluvar Illam, Pallavan Salai, Chennai-600 002.

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India praying for an issuance of a Writ of Declaration declaring that the action of the respondents in not giving the petitioner five reviews with monetary benefits w.e.f. 1.9.2010 and not paying him the revised salary for the month of September 2010 as per the wage revision settlement dated 22.1.2011 and not paying the petitioner the revised terminal benefits based on the salary payable to the petitioner as on 30.9.2010 after five reviews and wage revision as illegal and consequently direct the respondents to give the petitioner five reviews with monetary benefits w.e.f. 01.09.2010 arrears of difference in wages for the month of September 2010 as per the 12(3) settlement dated 22.1.2011 and to pay him the revised terminal benefits after adjusting the amounts already paid, together with interest at the rate of 12% per annum, Award Costs.

For Petitioner : Mr.V.Ajoy Khose
For Respondents : Mr.G.Saravanakumar
R1 to R3

O R D E R

The relief sought for in the present writ petition is to declare that the action of the respondents in not giving the petitioner five reviews with monetary benefits w.e.f. 1.9.2010 and not paying him the revised salary for the month of September 2010 as per the wage revision settlement dated 22.1.2011 and not paying the petitioner the revised terminal benefits based on the salary payable to the petitioner as on 30.9.2010 after five reviews and wage revision as illegal and consequently direct the respondents to give the petitioner five reviews with monetary benefits w.e.f. 01.09.2010 arrears of difference in wages for the month of September 2010 as per the 12(3) settlement dated 22.1.2011 and to pay him the revised terminal benefits after adjusting the amounts already paid, together with interest at the rate of 12% per annum, Award Costs.

2.The learned counsel for the petitioner made a submission that as per the terms and conditions of 12(3) settlement, dated 22.01.2011, the petitioner is eligible for five time bound promotions, revision of pay and revised terminal benefits. The learned counsel for the petitioner made a submission that the petitioner has chosen to file the writ petition in view of the fact that there is no factual dispute with reference to the service rendered by the writ petitioner and further benefits are also covered under 12(3) settlement, dated 22.01.2011.

3.The learned counsel for the respondents has also made a submission that the petitioner is eligible for the benefit as per the 12(3) settlement, dated 22.01.2011.

4.In view of the said submission, the respondents are directed to considered the case of the writ petitioner and settle all the eligible benefits with reference to the terms and conditions as per the 12(3) settlement, dated 22.01.2011 as expeditiously as possible, preferably, within a period of four months from the date of receipt of a copy of this order.

5.With this direction, the writ petition stands disposed of.
No costs.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

sms/sli

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.
3/137, Salamedu,
Vazhudareddy Post, Villupuram.
2. The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd., Vellore Region,
Rangapuram, Vellore-632009.
3. The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.

+1cc to Mr.G.Saravanakumar, Advocate, S.R.No.37073

+1cc to Mr.V.Ajoy Khose, Advocate, S.R.No.37252

W.P.No.18622 of 2014

SKM(CO)
RLP(11/07/2022)