



WEB COPY



Writ Petition No.2805 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.2805 of 2023

K.Ganesan

...Petitioner

Vs

1.The Managing Director,
The Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Salai,
Post Box No.713,
Salem - 636 007.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Salai,
Post Box No.713,
Salem - 636 007.

3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Illam,
Chennai - 600 002.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents herein to



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determine the monthly pension of the petitioner as Rs.14,345/- from 01.05.2015 to 30.10.2022 and sanction the difference amount of pension arrears for a period of 90 months from 01.05.2015 to 30.10.2022 and sanction the difference amount of pension arrears for a period of 90 months from 01.05.2015 to 30.10.2022 along with interest at the rate of 6% per annum within the time limit that may fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.K.Raja
Standing Counsel [R1 & R2]
Mr.C.S.K.Sathish
Standing Counsel [R3]

ORDER

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to consider the representation made by the petitioner on 20.12.2022 wherein the petitioner has sought for determination of his monthly pension and for payment of difference amount of the pension arrears from 01.05.2015 to 30.10.2022 along with interest.

2. The case of the petitioner is that he joined the services of the first respondent Corporation in the year 1985 and he retired from service as a Selection Grade Senior Conductor on 30.04.2015. There was a wage



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settlement u/s.12(3) of the Industrial Disputes Act and the settlement that was arrived at is applicable to all the permanent employees, who were in service as on 01.09.2013. According to the petitioner, as per the settlement, his monthly pension ought to have been determined as Rs.14,345/-. However, it has been determined as Rs.13,685/- p.m. only.

3. The petitioner made a representation in this regard to the respondents and sought for revision of the monthly pension and for payment of the arrears. Since the same was not considered, the present writ petition has been filed seeking for appropriate directions.

4. Heard Mr.N.Sudhagar Nagaraj, learned counsel for the petitioner, Mr.K.Raja, learned Standing Counsel, appearing for respondents 1 and 2 and Mr.C.S.K.Sathish, learned Standing Counsel, appearing for the third respondent.

5. Taking into consideration the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the respondents 1 and 2 to consider the representation made by



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the petitioner on 20.12.2022 on its own merits and in accordance with law and take a decision within a period of eight (8) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondents 1 and 2 along with all relevant documents and also a copy of this order.

Accordingly, this Writ Petition is disposed of with the above direction. No costs.

02.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm



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N.ANAND VENKATESH, J

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