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W.P.Nos. 26485 & 33693 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.Nos. 26485 & 33693 of 2012

W.P.No.26485 of 2012

The Tamil Nadu Transport Corporation
Retired Employees' Welfare Association,
Rep. by its Secretary,
No.4/787 Rathinasamy Nagar, Sakkottai,
Kumbakonam Taluk, Tanjore District.

...

Petitioner

Vs

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Transport (I Department)
Fort St.George, Secretariat,
Chennai – 600 009.

2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai 600 002.

3. The Special Deputy Commissioner of Labour,
Chennai.

4. The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd,
Kumbakonam, Tanjore District.

...

Respondents



W.P.Nos. 26485 & 33693 of 2012

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents herein to disburse the pensionary benefits giving effect to the wage increase as per 12(3) Settlement dated 22.01.2011 in Ref.C1/65956/2010 to all the members of the petitioner Association.

For Petitioner	:	Mr.A.G.Abhishek for Mr.L.Palanimuthu
For R1 & R3	:	Mr.T.M.Rajangam Govt. Advocate
For R2	:	Mr.C.S.K.Sathish
For R4	:	Mr.S.Sathyagandhi

W.P.No.33693 of 2012

Tamil Nadu State Transport Corporation
Retired Employees Welfare Association,
Rep. by its General Secretary,
(Reg.No.138/06 CNI
25/14, Ponnambalam Salai,
K.K.Nagar, Chennai – 600 078.

... Petitioner

Vs

1. The State of Tamil Nadu
Rep. by the Chairman &
Principal Secretary to Government,
Transport Department,
Fort St.George, Chennai – 600 009.

2. The Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
rep. by its Administrator,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002.



W.P.Nos. 26485 & 33693 of 2012

3. The Special Deputy Commissioner
of Labour,
Teynampet, Chennai – 600 006.

4. The Metropolitan Transport
Corporation Ltd.,
Rep. by its Managing Director,
Pallavan Salai, Chennai – 600 002.

5. The State Express Transport
Corporation Limited,
Rep. by its Managing Director,
Pallavan Salai, Chennai – 600 002.

6. The Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Rep. by its Managing Director,
Villupuram.

7. The Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Rep. by its Managing Director,
Kumbakonam.

8. The Tamil Nadu State Transport
Corporation (Salem) Limited,
Rep. by its Managing Director,
Salem.

9. The Tamil Nadu State Transport
Corporation Coimbatore Limited,
Rep. by its Managing Director,
Coimbatore.

10. The Tamil Nadu State Transport
Corporation Madurai Limited,
Rep. by its Managing Director,
Madurai.



W.P.Nos. 26485 & 33693 of 2012

11. The Tamil Nadu State Transport
Corporation Tirunelveli Limited,
Rep. by its Managing Director,
Tirunelveli.

.... Respondents

PRAYER: Writ Petition has been filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1, 2 and 4 to 11 herein to disburse the pensionary benefits, as per 12(3) Settlement dated 22.01.2011 in ref.No.C1/65956/2010 to all the members of our Associations and strictly implement the provisions under Clause 11 of the Settlement.

For Petitioner	:	M/s.S.Bhuvaneswari
For R1 & R3	:	Mr.T.M.Rajangam Govt. Advocate
For R2	:	Mr.C.S.K.Sathish
For R4	:	Mr.R.Balaji
For R5	:	Mr.L.S.M.Hasan Fizal
For R6	:	Mr.M.Aswin
For R7	:	Mr.S.Sathyagandhi
For R8	:	Mr.K.Raja
For R9	:	Mr.A.Vinodhraj
For R10 & R11	:	No appearance

COMMON ORDER

These Writ Petitions have been filed for direction directing the respondents to disburse the pensionary benefits giving effect to the wage increase as per 12(3) Settlement dated 22.01.2011 in Ref.No.C1/65956/2010 to all the members of the petitioners' Association.



W.P.Nos. 26485 & 33693 of 2012

2. It is seen that after the Settlement dated 22.01.2012, there are

two other settlements under Section 12(3) of the Industrial Dispute Act.

Accordingly, the members of the petitioners Association were paid the salary and other benefits. Therefore, the prayer sought for in these writ petitions have become infructuous. Accordingly, these Writ Petitions stand dismissed. There shall be no order as to costs.

22.08.2023

Index: Yes/No

Internet: Yes/No

Speaking/Non-Speaking order

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To

1. The Secretary to Government,
State of Tamil Nadu,
Transport (I Department)
Fort St.George, Secretariat,
Chennai – 600 009.

2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai 600 002.

3. The Special Deputy Commissioner of Labour,
Chennai.



W.P.Nos. 26485 & 33693 of 2012

4. The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd,
Kumbakonam, Tanjore District.

5. The Metropolitan Transport Corporation Ltd.,
Pallavan Salai, Chennai – 600 002.

6. The State Express Transport Corporation Limited,
Pallavan Salai, Chennai – 600 002.

7. The Tamil Nadu State Transport Corporation (Villupuram) Limited,
Villupuram.

8. The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Kumbakonam.

9. The Tamil Nadu State Transport Corporation (Salem) Limited,
Salem.

10. The Tamil Nadu State Transport Corporation Coimbatore Limited,
Coimbatore.

11. The Tamil Nadu State Transport Corporation Madurai Limited,
Madurai.

12. The Tamil Nadu State Transport Corporation Tirunelveli Limited,
Tirunelveli.



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W.P.Nos. 26485 & 33693 of 2012

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Lpp

W.P.Nos. 26485 & 33693 of 2012

22.08.2023