



W.P.(MD)No.1700 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.01.2023

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.1700 of 2023

S.Sampath

... Petitioner

Vs.

The Management of
Tamilnadu State Transport Corporation(Madurai) Ltd.,
Dindigul Region,
Rep. by its General Manager,
Dindigul.

... Respondent

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to revise the scale of pay of the petitioner w.e.f. 01.09.16 to till his retirement, based on the wage settlement dated 04.01.18 and consequently to pay him difference in his terminal benefits namely Gratuity and Encashment of Leave, after revising the same based on such re-fixed scale of pay payable to him on the month of this retirement, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For Petitioner

: Mr.S.Arunachalam

For Respondent

: Mr.S.Raja



W.P.(MD)No.1700 of 2023

ORDER

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This writ petition has been filed seeking for a direction to the respondent to revise the scale of pay of the petitioner w.e.f. 01.09.2016 till his retirement, based on the wage settlement, dated 04.01.2018 and consequently, to pay him the difference in his terminal benefits namely Gratuity and Encashment of Leave, together with 18% interest per annum, within a stipulated period.

2. The learned counsel appearing for the petitioner would submit that in similar circumstances, in W.P(MD)Nos.27525 of 2022 etc., batch, this Court vide order, dated 21.12.2022, has issued direction to implement the revised pay under Section 12(3) of the Industrial Disputes Act, 1947 and hence, prayed for appropriate orders.

3. Heard the learned counsel appearing for the petitioner and the learned standing counsel appearing for the respondent corporation.



W.P.(MD)No.1700 of 2023

WEB COPY

4. Considering the submissions of the learned counsel appearing for the petitioner, there shall be a direction to the respondent to implement the revised pay as per the settlement under Section 12(3) of the Industrial Disputes Act, 1947, to the petitioner with interest if there is no legal impediment. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of.

No Costs.

30.01.2023

NCC:Yes/No

Index:Yes/No

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W.P.(MD)No.1700 of 2023

M.DHANDAPANI, J.

pm

W.P.(MD)No.1700 of 2023

30.01.2023