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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.06.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.16655 of 2019

P.Murugaian

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam.
3. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai – 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a ***Writ of Mandamus***, directing the respondents to pay the petitioner, the revised dearness allowance, with effect from 01.01.2016 as revised from time



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to time and once in 6 months and also to revise his basic pension with effect from 01.09.2016 with multiplier of 2.44, together with the revised dearness allowance with effect from 01.09.2016, as revised from time to time, within a time frame that may be fixed by this Court.

For Petitioner	: Mr.A.Rahul
For R-1 & R-2	: Mr.D.Sivaraman Standing Counsel
For R-3	: Mr.S.C.Herold Singh

ORDER

This writ petition is filed for ***Writ of Mandamus***, seeking direction to the respondents to revise Dearness allowance.

2. Heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned Standing Counsel appearing for R-1 & R-2 and Mr.S.C.Herold Singh, learned counsel appearing for R-3. Perused the material documents available on record.



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3. It is seen from the records that the petitioner had retired from service on 25.02.2013 under Voluntary retirement. The petitioner is seeking Dearness Allowance. The respondents have entered a settlement, dated 25.12.2003 under Section 12(3) of Industrial Disputes Act, and subsequent settlement was also entered between the parties.

4. Considering the facts and circumstances, the respondents are directed to consider the claim of the petitioner for Dearness Allowance, in the light of the aforesaid settlement under Section 12(3) of Industrial Disputes Act. The said exercise shall be completed within a period of six weeks from the date of receipt of a copy of the order.

5. With these observations and directions, this Writ Petition is allowed. No Costs.

Index : Yes / No
Internet : Yes
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S.SRIMATHY, J

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**Order made in
W.P.(MD)No. 16655 of 2019**

13.06.2023