



W.P.(MD).No.26159 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.11.2023

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THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.26159 of 2023

M.Abdul Raseeth

... Petitioner

Vs.

1.The General Manager,
The Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
Nagercoil Region,
Rani Thottam, Nagercoil,
Kanniyakumari District.

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

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including gratuity, commutation of pension, arrears of monthly pension from 31.03.2020 till the date of realization of amount as per the settlement, dated 24.08.2022 under Section 12(3) of ID Act, 1947 with effect from 01.09.2019, payable to him with 18% rate of interest.



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For Petitioner : Mr.G.M.Xavier
For R-1 : Mr.D.Jebaraj
Standing Counsel
For R-2 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed seeking a Mandamus to settle the petitioner's retirement benefits based upon the settlement arrived at between the Trade Union and the Management under Section 12(3) of the Industrial Disputes Act, 1947.

2. According to the writ petitioner, the petitioner attained superannuation on 31.03.2020. The Management and the Trade Union entered into a settlement on 24.08.2022 granting monetary benefits from 01.09.2019 onwards. Therefore, the said settlement is applicable to the writ petitioner. Even though the petitioner has given a representation on 24.06.2023, the respondent authorities are yet to respond to the said representation. Hence, the present writ petition.



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3. In view of the above said facts, the first respondent is directed to disburse the retirement benefits and monthly pension based upon the 12(3) settlement, dated 24.08.2022 to the writ petitioner, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

4. With the above said observation, this writ petition stands disposed of.
There shall be no order as to costs.

01.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes
BTR

To

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R.VIJAYAKUMAR, J.

BTR

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