



W.P(MD)No.26688 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.11.2023**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26688 of 2023

A.Sebastian

... Petitioner

Vs.

The Management of Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Pudukottai Region,
Represented by its Managing Director,
Pudukottai.

... Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to revise / re-fix the scale of pay of the petitioner w.e.f. 01.09.19 to till his retirement, based on the wage settlement, dated 24.08.22 and consequently to pay him difference / arrears of wages for the period from 01.09.19 to 30.06.22 and also 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 his retirement, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam



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For Respondent : Mr.K.Jagadees Balan
Standing Counsel

ORDER

The present writ petition has been filed by a retired Special Grade Conductor of the Transport Corporation who attained superannuation on 30.06.2022.

2. After his superannuation, the trade Union entered into a settlement with the management under Section 12 (3) of the Industrial Dispute Act, wherein the salary and other benefits were enhanced with effect from 01.09.2019. In view of the same, the writ petitioner has sent a representation on 19.07.2023 to confer the said benefits upon him. Since there is no response, the present writ petition has been filed.

3. In view of the above said facts, respondent herein is directed to confer the said benefits upon the writ petitioner from 01.09.2019 within a period of twelve (12) weeks from the date of receipt of a copy of this order.



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4. With the above said observations, this Writ Petition stands
allowed. No costs.

07.11.2023

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

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To

The Managing Director,
The Management of Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Pudukottai Region,
Pudukottai.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.26688 of 2023

Dated:
07.11.2023