



W.P.(MD).No.26801 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.26801 of 2023

S.Muthuramalingam

... Petitioner

Vs.

1. The Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Represented by its Managing Director,
Tirunelveli.

2. The General Manager,
The Tamil Nadu State Transport Corporation,
(Tirunelveli) Limited,
Tirunelveli Region,
Tirunelveli.

3. The Administrator,
The Tamil Nadu Transport Corporation,
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 02.

... 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 pay the petitioner difference amounts in gratuity, leave salary and difference



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in pension with arrears based on such revised wages payable to the petitioner as on the date of his retirement that is 30.04.2017 in terms of the wage revision settlement under Section 12(3) of I.D.Act, dated 04.01.2018 along with interest at the rate of 6% per annum within a time frame as may be fixed by this Court.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Jebaraj
Standing Counsel – for R1 and R2
: Mr.S.C.Herold Singh
Standing Counsel – for R3

ORDER

The present writ petition has been filed by a Special Grade Driver of the respondent Transport Corporation, who had attained superannuation on 30.04.2017.

2. According to the writ petitioner, after his retirement on 04.01.2018, a settlement was reached between the trade union and the management under Section 12(3) of the Industrial Dispute Act, enhancing the monetary benefits with effect from 01.09.2016. Seeking the said benefits, the petitioner has sent a representation to the respondents on 23.09.2023, which is yet to be disposed of.

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3. Heard the learned counsel appearing for the writ petitioner and the learned Standing Counsel appearing for the respondents.

4. Considering the above said facts, the respondents 2 and 3 herein are directed to confer the eligible benefits upon the writ petitioner, as per the said 12(3) settlement and pass orders within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. No costs.

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NCC : Yes/No
Index : Yes / No
Internet : Yes / No
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(Tirunelveli) Limited,
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Tirunelveli Region,
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R.VIJAYAKUMAR,J.

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