



W.P(MD)No.27060 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.11.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27060 of 2023

A.Jegarajan

... Petitioner

Vs.

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

2.The Administrator,
The Tamil Nadu State Transport
Employee 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 w.e.f 01.09.2019, payable to him with 18% rate of interest within a time stipulated by this Court.



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For Petitioner : Mr.G.M.Xavier
For R1 : Mr.D.Jebaraj
Standing Counsel
For R2 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed by a Special Grade Conductor who attained superannuation on 31.03.2020 seeking monetary benefits and the consequential enhancement of pension based upon the 12(3) settlement reached between the management and the union on 24.08.2022.

2. According to the learned counsel appearing for the petitioner, though the settlement is dated 24.08.2022, the monetary benefits were agreed to be given to the employees with effect from 01.09.2019 and hence, the benefits of the said settlement are applicable to him. Based upon the said facts, the petitioner has given a representation on 23.06.2023 for enhancing the pension and the other terminal benefits. Since there is no response from the authorities, the present writ petition has been filed.



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3. Considering the above said facts, the respondents herein are directed to confer the said benefits arising out of the 12(3) settlement, dated 24.08.2022 with interest at the rate of 6% per annum from the due date till the date of realization within a period of twelve (12) weeks from the date of receipt of copy of this order.

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

10.11.2023

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

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To

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R.VIJAYAKUMAR,J.

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Order made in
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