



W.P(MD)No.27688 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2023

CORAM

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.27688 of 2023

C.Selvaraj

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
23/2, Thoothukudi Road,
Kattabomman Nagar,
Tirunelveli District-627 007.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Tirunelveli) Limited,
Tirunelveli Region,
Tirunelveli District-627 007.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pensions Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

... 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



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disburse the petitioner's difference amount of Gratuity, Surrender Leave, Provident Fund, Pensions Arrears and to revise Pensions on the basis of 12 (3) settlement, dated 24.08.2022 along with 6% interest.

For Petitioner : Mr.K.Gokul

For R-1 & R-2 : Mr.K.Ramaiah
Standing Counsel

For R-3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed by a Selection Grade Material Handler of the respondent Transport Corporation, who attained superannuation on 31.10.2019 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 petitioner, after his retirement, the Trade Union and the Management had entered into a settlement under Section 12(3) of the Industrial Disputes Act on 24.08.2022, wherein benefits were extended from 01.09.2019 onwards. Hence, the petitioner has sent a representation on 20.09.2023 seeking to confer the said benefits and revise his pension. Since



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there is no response from the respondent authorities, the present writ petition has been filed.

3. In view of the above said facts, the respondents 2 and 3 are directed to confer the eligible benefits upon the writ petitioner based upon the 12(3) settlement, dated 24.08.2022 within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

23.11.2023

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

To

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R.VIJAYAKUMAR, J.

BTR

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