



W.P(MD)No.28254 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.12.2023**

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.28254 of 2023

A.Radhakrishnan

... Petitioner

Vs.

1.The State Express Transport Corporation
(Tamil Nadu) Ltd.,
Represented by its Managing Director,
Pallavan Salai, Chennai-2.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employee's Pensions Fund Trust,
Thiruvalluvar Illam,
Anna 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 1st respondent to revise petitioner's scale of pay w.e.f 01.09.2019 based on the new wage settlement, dated 24.08.2022 and consequently to pay the petitioner difference / arrears of wages for the period from 01.09.2019 to 30.06.2022 and also the difference in petitioner's terminal benefits namely Gratuity, Encashment of Leave, after revising the same based on such re-fixed scale of pay payable to the petitioner on the month of the petitioner's retirement, together with 18% interest per annum and further directing the respondents to revise the petitioner's pension with



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effect from September 2019 and pension commutation, based on such re-fixed scale of pay payable to the petitioner on the month of the petitioner's retirement and to pay the petitioner arrears of pension for the period from September, 2019 and pension commutation, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Vashik Ali

For R1 & R2 : Mr.K.Senthil Kumar
Standing Counsel

For R3 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed by a Selection Grade Senior Tradesman of the respondent Corporation, who attained superannuation on 30.06.2022.

2. According to the writ petitioner, after his retirement, the trade union and the management have entered into a settlement under Section 12(3) of the Industrial Dispute Act on 24.08.2022 conferring the benefits with effect from 01.09.2019. Seeking the said benefits, the petitioner has sent a representation to the respondent authorities on 10.11.2023. Since there is no response, the present writ petition has been filed.



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3. Considering the above said facts, the respondents are directed to consider the said representation, dated 10.11.2023 and to confer the eligible benefits upon the writ petitioner 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.

04.12.2023

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

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To

1.The Managing Director,
The State Express Transport Corporation
(Tamil Nadu) Ltd.,
Pallavan Salai, Chennai-2.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employee's Pensions Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.28254 of 2023

Dated:
04.12.2023