



W.P(MD)No.29073 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.12.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.29073 of 2023

R.Mathiyazagan

... Petitioner

Vs.

The Management of Tamil Nadu
State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region,
Represented by its General Manager,
Trichy.

... 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 the petitioner on the month of his retirement, together with 18% interest per annum, within a time frame as may be fixed by this Court.



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For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.K.Jagadees Balan
Standing Counsel

ORDER

The present writ petition has been filed by a Selection Grade Conductor 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 on 20.10.2023. Since there is no response, the present writ petition has been filed.

3. Considering the above said facts, the respondent is directed to confer the eligible benefits upon the writ petitioner based on 12(3) settlement, dated 24.08.2022 within a period of twelve (12) weeks from the date of receipt of copy of this order.



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

11.12.2023

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

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To

The General Manager,
The Management of Tamil Nadu
State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region,
Trichy.



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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.29073 of 2023

Dated:
11.12.2023