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W.P.No.19697 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2024

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.19697 of 2022

1.D.M.Manivelu
2.D.Kulasekaran

....

Petitioners

Vs

1. The Chairman,
Chennai Port Trust,
Now named as Chennai Port Authority,
No.1, Rajai Salai, Chennai – 600 001.

2. FA & CAO (Financial Advisor & Chief Accounts Officer)
Chennai Port Trust,
Now named as Chennai Port Authority,
No.1, Rajaji Salai, Chennai – 600 001.

....

Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Mandamus directing the first respondent to dispose the first petitioner's representation dated 15.06.2022 along with the 2nd petitioner representation dated 16.06.2022 and to allow the petitioners herein to avail the additional quantum of pension as per 12(3) Industrial Dispute Act within the stipulated time period fixed by this Court.

For Petitioner : M/s.S.Vennila

For Respondents : Mr.R.Karthikeyan
Standing Counsel



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ORDER

This Writ Petition has been filed for a direction directing the first respondent to consider the representation dated 15.06.2022 seeking promotion to avail the additional quantum of pension under Section 12(3) of Industrial Dispute Act.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioners had joined the service in the year 1963 and retired from service in the year 1998. They are receiving pension after their retirement. The quantum of pension/family pension available to the old pensioners/family pensioners shall be continued as follows :

Age of Pensioner/Family Pensioner	Additional Quantum of Pension
From 80 years to less than 85 years	20% of basic pension/family pension
From 85 years to less than 90 years	30% of basic pension/family pension
From 90 years to less than 95 years	40% of basic pension/family pension
From 95 years to less than 100 years	50% of basic pension/family pension
100 years or more	100% of basic pension/family pension

4. Therefore, the petitioners submitted representation to



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implement the pension enhancement as per the Settlement in force entered into by the Tripartite Committee under Section 12(3) of the Industrial Dispute Act.

Accordingly, the petitioners submitted representation.

5. In view of the above, the first respondent is directed to consider the representation of the petitioners and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

11.01.2024

Internet: Yes

Index : Yes/No

Speaking/Non Speaking order

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To

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G.K.ILANTHIRAIYAN. J.



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