



WEB COPY



W.P.No.22557 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.08.2024

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THE HONOURABLE MR. JUSTICE KRISHNAN RAMASAMY

W.P.No.22557 of 2024

A. Balakrishnan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram - 605 602.

2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region, Rangapuram Vellore - 632 009. ... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, to direct the respondents to revise petitioner's last drawn basic pay taking note of annual increment granted in the month of March, 2022, and consequentially revise his retirement benefits including revision of pension along with the interest at the rate of 12% per annum from the date of entitlement till date of actual disbursement within a time limit to be stipulated by this Court.

For Petitioner : Mr.P.Mohan Raj



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For Respondents : Mr.R.Venkatesa Perumal
Standing Counsel

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ORDER

The present Writ Petition is filed for the issuance of a Writ of Mandamus, to direct the respondents to revise petitioner's last drawn basic pay taking note of annual increment granted in the month of March, 2022, and consequentially revise his retirement benefits including revision of pension along with the interest at the rate of 12% per annum from the date of entitlement till date of actual disbursement within a time limit to be stipulated by this Court.

2. The learned counsel for the petitioner submits that the petitioner was working as Checking Inspector and retired from service on attaining the age of superannuation. The 14th Tripartite Wage Settlement under Section 12(3) of the Industrial Dispute Act was entered and the same was signed on 24.08.2022. The petitioner was covered under the said Settlement and accordingly, his wages should also be required to be revised based on the said clause of settlement with effect from 01.09.2019. While re-fixing his wages in accordance with the 14 Wages Settlement, the annual increment drawn on March, 2022, was sought to be omitted and basis pay granted upto March, 2021, alone was taken into



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consideration. Due to the said action, his last drawn basis was arrived at Rs.50,800/- as against his actual basic fixation of Rs.52,300/-. On account of the said discrepancy, he was granted with lesser retirement entitlements and monthly pension. Therefore, he submitted a detailed representation. However, till date there is no response from the respondents. Hence, the present Writ Petition is filed.

3. Heard Mr.R.Venkatesa Perumal, learned Standing Counsel appearing for the respondents.

4. Considering the facts and circumstances of the case and the submissions made on either side, this Court directs the respondents to consider the petitioner's representation dated 03.11.2023 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and the persons interested in this regard and also affording them an opportunity of personal hearing, within a period of four (4) weeks from the date of receipt of a copy of this order without influencing the observations made by this Court and decide the matter independently.



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KRISHNAN RAMASAMY, J.

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With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

09.08.2024

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To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
3/137, Salamedu,
Villupuram - 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region, Rangapuram Vellore - 632 009.

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