



W.P.(MD)No.26131 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.08.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.26131 of 2019

P.Shanmugam

... Petitioner

/Vs./

1.The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Rep by its Managing Director,
Tirunelveli Region,
Tirunelveli-627 001.

2.The General Manager,
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli.

3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai-600 002.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, directing the respondents to settle the total arrears of retirement benefits of Rs.1,57,326/- payable to him as per the



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settlement dated 01.09.2013 u/s..12(3) of ID Act 1947, with reasonable rate of interest within the time stipulated by this Court.

For Petitioner : Mr.G.M.Xavier

For Respondents : Mr.S.C.Herold Singh

Standing Counsel

ORDER

This writ petition has been filed for a mandamus seeking for a direction to the respondents to settle the total arrears of retirement benefits of Rs.1,57,326/- payable to the petitioner, as per the settlement dated 01.09.2013 under Section 12(3) of the Industrial Disputes Act, 1947, with reasonable rate of interest within a time frame to be fixed by this Court.

2. Till date, counter affidavit has not been filed by the respondents.

3. No prejudice will be caused to the respondents, if the petitioner is allowed to give a fresh representation to the respondents seeking for



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payment of arrears of his retirement benefits amounting to Rs.1,57,326/-, which according to the petitioner is as per the settlement dated 01.09.2013, under Section 12(3) of the Industrial Disputes Act, 1947 and a direction is issued to the respondents to consider the said representation on merits and in accordance with law, within a time frame to be fixed by this Court.

4. For the foregoing reasons, this Court directs the petitioner to submit a fresh representation to the second and third respondents to settle the total arrears of his retirement benefits of Rs.1,57,326/-, which according to the petitioner is payable as per the settlement dated 01.09.2013 under Section 12(3) of the Industrial Disputes Act, 1947, with reasonable rate of interest, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the second and third respondents are directed to pass final orders on merits and in accordance with law, within a period of eight weeks thereafter.



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WEB COPY 5. With the aforesaid direction, this writ petition is disposed of.

No costs.

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Index : Yes / No
NCC : Yes / No
Sm



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ABDUL QUDDHOSE, J.

Sm

Order made in
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