



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2025

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CORAM

THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.P No.3338 of 2019

1. A.Chandrasekaran, (FC0367) m/62
S/o K.Arunachalam,
L-217, Kuttapalli Colony Post,
Thiruchengode Taluk,
Nammakkal District
- 2.P.Lakshmanan, (FC0370) M/62,
S/o R.Perian Palagan,
B-6, Ezhil Nagar,
Ayyamperumalpatty - 2,
Kannakurinchi Post Salem-636 008.
- 3.M.Raju, (RC0389) M/62
S/o Muthu Naickar
12-B, Bharathiyar Street (East)
Periyagollappatty,
Mallasamuthiram Post,
Nammakkal District.
4. G.Kumaresan (FC0390) M/62
S/o Ganesa goundar
1/33, West Street
Nansel Idayar Post
Paramathivelur Taluk
Nammakkal District.
- 5.P.Mani (FC0415) M 61 (deceased)
S/o Palanimuthu



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M.Perumapalayam
Sheshanchavadi,
Valapadi Taluk,
Salem District.

6. S.Gnanavel (FC0422) m/62

S/o M.Shanmugam,
H-9, TNHB Colony,
Sangagiri R.S.Post,
Salem 637 302.

7.V.Thangaraj (FC0429) M62, (deceased)

S/o S.Vaiyapuri 356,
Vinayagapuram,
Attur Taluk,
Salem District.

8.R.Natesan (FC0291) M/62,

S/o Ramasamy goundar,
1/2, Thundukadu,
Mavilipalayam Post Sangagiri Taluk
Salem District .

P-9 SANTHOSHKUMAR,
S/O.LATE.MANI,
RESIDING AT DOOR NO.3/4,
M.PERUMAPALAYAM,
VALAPADI TALUK,
SALEM DISTRICT.

P-10 SANTHAMEENA,
D/O.LATE.MANI,
W/O.PRABU,
RESIDING AT 4/49,
B.MUTTAL ROAD,
KALLANATHAN,
SALEM DISTRICT.636 141.



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P-11 CHINNAPONNU,
W/O.LATE.THANGARAJ,
NO.356, VINAYAGAPURAM,
ATTUR TALUK,
SALEM DISTRICT.636 102.

P-12 SAKTHIVEL,
S/O.LATE.THANGARAJ,
NO.356, VINAYAGAPURAM,
ATTUR TALUK,
SALEM DISTRICT.636 102.

P-13 NIRMALESH,
S/O.VINOTH KANNAN,
REPRESENTED BY GUARDIAN
GRAND MOTHER NEXT FRIEND
CHINNAPONNU,W/O.LATE.THANGARAN,
NO.356,VINAYAGAPURAM,
ATTUR TALUK,
SALEM DISTRICT.636 102. ...

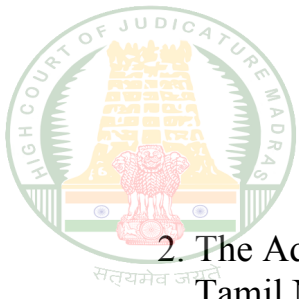
Petitioners

(P9 AND P10 ARE SUBSTITUTED AS LRS
OF DECEASED P5, AS PER ORDER DATED
06.03.2025 IN WMP.8711/2025 IN
WP.3338/2019 BY RNMJ)

(P11 TO P13 ARE SUBSTITUTED AS LRS
OF DECEASED P7, AS PER ORDER DATED
06.03.2025 IN WMP.8718/2025
IN WP.3338/2019 BY RNMJ)

/vs/

1. The Managing Director,
Tamilnadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem-636-007.



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2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Administrative Office,
Thiruvalluvar House,
Pallavan Salai,
Chennai- 600 002.

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Respondents

Writ Petition is filed under Article 226 of the Constitution of India to issue a WRIT OF MANDAMUS directing the Respondents to disperse a sum of Rs. 19,80,065/-towards the arrears of pension and commutation to the Petitioners as per the G.O.Ms.No.61 dated 30.04.2015 issued in view of the 12(3) settlement arrived at under the Industrial Disputes Act, 1947 with further interest at the rate of 6% pa till the realisation of the entire amount

For Petitioners : Mr.G.Pugazhenth
For Respondents : Mr.C.K.Sathish,
standing counsel (transport)

ORDER

This writ petition has been filed seeking direction against the respondents to disburse a sum of Rs.19,80,065/- towards the arrears of pension and commutation to the petitioners in terms G.O.Ms.61 dated 13.4.2015 issued in view of the 12(3) settlement arrived at under the Industrial Dispute Act, 1948 and further the



interest @ 6% per annum to its realization with the entire amount.

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2.Heard Mr.G.Pugazhenth, learned counsel for the petitioner, Mr.C.K.Sathish, learned standing counsel (transport) for the respondents and perused the material available on record.

3.The learned counsel for the petitioners submitted that though the respondents had not denied the fact about 12(3) settlements, they have failed to extend the benefits arising therefrom to the petitioners.It is further submitted that the petitioners have made several representations in this regard, but the same have not been considered or culminated in any order so far.

4. The learned standing counsel for the respondents submitted that dues towards pension and commutation have already been settled in favour of the petitioners in accordance with the 12(3) settlement and there is no further claim is payable to the petitioner.

5. In such circumstances, an appropriate order needs to be passed based on the representations made by the petitioners. While considering such



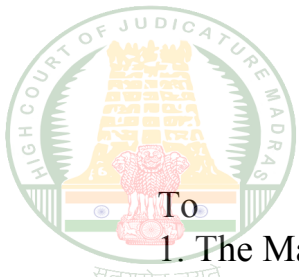
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representations, the respondents shall scrutinize the relevant records and ascertain whether any benefits are due to the petitioners is payable under the 12(3) settlement and the consequential Government Order issued in this regard is namely G.O.Ms.No.61 dated 13.04.2015.

6.In view of the above observation this writ petition is **disposed** and the respondents are directed to consider the representation of the petitioners and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

25.03.2025

Index : Yes
Internet : Yes/No
jrs



To

1. The Managing Director,
Tamilnadu State Transport Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem-636-007.
2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Administrative Office,
Thiruvalluvar House,
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Chennai- 600 002.



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R.N.MANJULA, J.
jrs

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