



W.P(MD)No.8214 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.8214 of 2023

R.Sanjeevi

... Petitioner

Vs

1.The Managing Director,
State Express Transport Corporation (TN) Ltd.,
Corporate Office,
No.2, Pallavan Salai,
Chennai- 600 002.

2.The Financial Advisor and Chief Accounts Officer,
State Express Transport Corporation (Tn) Ltd.,
Corporate Office, No.2, Pallavan Salai,
Chennai- 600 002.

3.The Administrator,
TNSTC Employees Pension Trust,
Thiruvalluvar House, SETC (TN) Ltd.,
No.2, Pallavan Salai,
Chennai- 600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing



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the respondents to implement and sanciton the 2nd, 3rd, 4th Review benefits for the completion of 27 years of service from the date of joining on 30.09.1988 as per the Wage Settlements without mentioning any punishments for the counting of whole period of service as per the Pension Record and the same to be given the difference arrears amounts in 2nd, 3rd and 4th Review benefits with retrospective from the date of sanctioning of the above said Review Benefits to the date of retirement on 30.04.2019 and also based on the above, the terminal benefits and pension to be revised and further consequently direct the respondents to disburse the difference arrears amounts of terminal benefits and pension with retrospective from the retirement date on 30.04.2019 to the date of actual payment with interest at the rate of 6% per annum payable to the petitioner, within the stipulated time, fixed by this Court.

For Petitioner	: Mr.K.GoKul
For R1 & R2	: Mr.K.Senthil Kumar Standing Counsel
For R3 & R4	: Mr.S.C.Herold Singh Standing Counsel

ORDER

The petitioner is a retired driver of the respondent Transport Corporation. He was appointed in the State Express



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Transport Corporation on 30.09.1988 and his services was regularised with effect from 01.10.1989. He was promoted as Selection Grade Driver and he retired from service on voluntary retirement on 30.04.2019. The petitioner has submitted a representation on 15.03.2023, seeking second, third and fourth review benefits, as per the settlement arrived under Section 12(3) of the Industrial Disputes Act, however, it was not considered by the respondents and therefore, the petitioner has approached this Court in the year 2023.

2. The learned counsel appearing for the petitioner submits that as per the settlement arrived under Section 12(3) of the Industrial Disputes Act, the petitioner is entitled for the terminal benefits for 31 years, however, the first respondent has taken into consideration only 27 years of service. Moreover, as per the wage settlements, dated 22.01.2011, 13.04.2016 and on 04.01.2018 (w.e.f. 01.09.2010), the Management is supposed to grant review once in 7 years. The first review is after six years and thereafter 7 years.



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Accordingly, the petitioner is entitled for second, third and fourth review benefits. According to the petitioner, on completion of six years, this petitioner was provided with first review on 01.02.1997. Thereafter, the benefits were not provided to him. Therefore, a suitable direction may be issued to the respondent Corporation to sanction the review benefits to the petitioner.

3. The learned Standing Counsel appearing for the respondents submits that this petitioner has suffered 33 punishments during his tenure for unauthorized absence alone. The petitioner has approached this Court after four years from the date of his retirement for the review benefits, which he is eligible during his tenure, in case, if he was not suffered with any punishment.

4. This Court considered the rival submissions made and also perused the materials placed on record.



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5.The petitioner, a retired employee of the Transport Corporation has approached this Court seeking review benefits as per the settlement arrived under Section 12(3) of the Industrial Disputes Act. The respondent Transport Corporation has taken a stand that the petitioner has claimed the review benefits after four years from his date of retirement. Moreover, the petitioner has been imposed with punishments in many occasions, for the delinquencies he has committed, during his tenure. In view of the above, this Court is not inclined to grant the relief to the petitioner.

6.Accordingly, this writ petition is dismissed. However, there shall be a direction to the respondent Corporation to furnish the details as to the number of punishments suffered by the petitioner, for which, he has been denied the review benefits during his tenure. No costs.

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NCC: Yes/No
Index: Yes/No
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B.PUGALENDHI, J.

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