



W.P.(MD)No.25565 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 06.02.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

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S.Sathappan

... Petitioner

vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
27, New Railway Station Road,
Kumbakonam- 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam- 612 001.

3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai – 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents herein to pay a sum of RS.67,709/- towards difference in Gratuity; Rs.12,283/- towards difference in leave salary and arrears of difference in Pension



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from 01.08.2015 to 31.12.2018 based on the 12(3) Settlement, dated 01.09.2013 with interest at the rate of 6% per annum from the date of retirement of the petitioner till the date of actual payment based on the representation, dated 24.03.2022.

For Petitioner	:No Appearance
For R1 and R2	:Mr.K.Jegadeesh Balan
For R3	:Mr.S.C.Herold Singh

ORDER

When the case is taken up in the revised call, no one appeared on behalf of the petitioner:

2.This Writ Petition has been filed with the following prayer:

“to direct the respondents herein to pay a sum of Rs.67,709/- towards difference in Gratuity; Rs.12,283/- towards difference in leave salary and arrears of difference in Pension from 01.08.2015 to 31.12.2018 based on the 12(3) Settlement, dated 01.09.2013 with interest at the rate of 6% per annum from the date of retirement of the petitioner till the date of actual payment based on the representation, dated 24.03.2022.”



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3.Heard Mr.K.Jegadees Balan, leaned Standing Counsel appearing for the respondents 1 and 2 and Mr.S.C.Herold Singh appearing for the third respondent.

4.As per the averments made in the Writ Petition, the petitioner was appointed as Conductor in the respondent Transport Corporation and on attaining the age of superannuation, he was retired from service on 31.07.2015 as Senior Checking Inspector. It was further averred that the retirement benefits of the petitioner were calculated only based on the last drawn salary and he is entitled for the retrospective revision of wages as per the settlement, dated 13.04.2015, entered into between the respondent Management and the Trade Unions on 13.04.2015. Hence, the petitioner had made several representations to the respondents seeking re-fixation of retirement benefits and arrears and the last representation was dated 24.03.2022. In spite of more than three years passed, the respondents are sitting tight over the matter and has not passed any positive order in favour of the petitioner. Hence, the present Writ Petition.



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5.The learned Standing Counsel for the respondents 1 and 2 submits that the petitioner is not entitled for any claim, which was made in the Writ Petition, but he submits that the representation filed by the petitioner may be decided by the second respondent. Thus, he submits that a direction may be given to the second respondent to decide the representation of the petitioner, dated 24.03.2022, within a time stipulated by this Court.

6.After considering the arguments, as advanced by the learned Counsels for the parties, after perusal of the entire records and the pleadings made in the Writ Petition and after perusal of the representation, dated 24.03.2022 made by the petitioner before the authority concerned, this Court deem it appropriate that no useful purpose will be served in keeping the present Writ Petition pending before this Court and this Court also deem it appropriate to direct the second respondent to consider the representation of the petitioner, dated 24.03.2022.



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7.Thus, this Court directs the second respondent to decide the representation of the petitioner dated 24.03.2022 by way of a reasoned and speaking order and also in accordance with law within a period of two months from today and communicate the order to the petitioner through Registered Post with AD (RPAD) within a period of two weeks thereafter.

8.With the above directions, the present Writ Petition is finally disposed of. No costs.

Index :Yes / No
Internet :Yes / No
NCC :Yes / No

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