



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2015

CORAM :

THE HONOURABLE MR. JUSTICE K. RAVICHANDRABAABU

WEB COPY

Writ Petition (MD) Nos.1723 and 1724 of 2015

G.Karikalan

... Petitioner in both W.Ps

Vs.

1.The Secretary to Government

Transport Department,
Secretariat, Fort St., George,
Chennai.

2.The Managing Director,

The Tamil Nadu State Transport Corporation,
Kumbakonam, Thanjavur District.

3.The General Manager,

The Tamil Nadu State Transport Corporation,
Kumbakonam, Thanjavur District.

4.The Branch Manager,

The Tamil Nadu State Transport Corporation,
Peravoorani,
Thanjavur District.

... Respondents in both W.Ps.

Prayer in W.P(MD)No.1723 of 2015: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the Respondents to disburse the differential amount on the petitioner retirement benefits based on new settlement dated 22.01.2011 that came into effect on 01.09.2010 within the time stipulated along with statutory interest at the rate of 12% for the delayed payment to be made thereon.

Prayer in W.P(MD)No.1724 of 2015: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to give the petitioner's notional promotion as Special Grade Conductor from the date on which he completed his qualifying service and disburse the difference amount on the retrial and attendant benefits forthwith.

For Petitioner : Mr.S.Balamurugan

For 1st Respondent : Mr.S.Kumar,
Additional Government Pleader.

For Respondents 2-4 : Mr.D.Sivaraman
Standing Counsel

ORDER

Heard the learned counsel appearing for the petitioner and Mr.S.Kumar, learned Additional Government Pleader takes notice for the first respondent and Mr.D.Sivaraman, learned counsel takes notice for the respondents 2 to 4. By consent, the writ petitions are taken up for final disposal at the admission stage.

2.The petitioner seeks for a Mandamus directing the respondents to disburse the differential amount on the petitioner's retirement benefits based on new settlement dated 22.01.2011 which was given effect to from 01.09.2010 along with statutory interest for the delayed payment.

3.It is seen that the petitioner has already approached the respondents by way of his representation dated 07.11.2014 seeking for the very same relief. It is further stated that the said representation has not been disposed of so far.

4.Therefore, this Court, at this stage, is not expressing any view on the claim made by the petitioner. However, as the representation made by the petitioner is said to be pending for consideration, I only direct the third respondent to consider the said representation and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The Secretary to Government Transport Department,
Secretariat, Fort St., George, Chennai.

2.The Managing Director,
The Tamil Nadu State Transport Corporation,
Kumbakonam, Thanjavur District.

3.The General Manager,
The Tamil Nadu State Transport Corporation,
Kumbakonam, Thanjavur District.

4.The Branch Manager,
The Tamil Nadu State Transport Corporation, Peravoorani,
Thanjavur District.

+2ccs to Mr.S.Balamurugan , Advocate, SR.Nos.6671&6674

+2ccs to Mr.D.Sivaraman, Advocate, SR.Nos.6386&6387

+One cc to the Special Government Pleader, SR.No.6795

sms

RL/10c - 20/2/2015