



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.10.2016

C O R A M

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.16952 of 2016

S.Chidambaram

.. Petitioner
Vs.

1.The Management of
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.

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

3.The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the 1st Respondent Ref:Tha.Aa.Po.Ka/ Pudhu/Sadhu/SM/16 dated 23.02.2016 quash the same and consequently direct the respondents to grant him 4th review benefit and to fix his pay in the new scale of pay of Rs.5200 - 20200 + Grade pay of Rs.2600/- and to pay the petitioners arrears of difference in retiral benefits including monthly pension gratuity leave salary commutation and all other attendant benefits together with interest at the rate of 18% per annum payable from 01.12.2010 to till the date on which the above monetary benefits are settled to him.

For petitioner

... Mr.A.Rahul

For R1 and R2

... Mr.D.Sivaraman

For R3

... Mr.A.P.Muthupandian

**O R D E R**

This Court passed the following order on 08.09.2016 and it reads as under:-

WEB COPY This writ petition has been filed seeking benefits under G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015, as per clause 8, under which, the Managing Directors of all State Transport Undertakings were directed to revise the Scale of Pay of Checking Inspectors and Driving Instructors with effect from 01.09.2010, as ordered in paragraph No.7.

2.The petitioner has given a representation dated 14.09.2015 to the Transport Corporation, for which, the Transport Corporation has given a reply, dated 23.02.2016, stating that based on the representation of the petitioner and G.O.Ms.No.61, dated 30.04.2015, further due action will be taken. In the meantime, this writ petition has been filed directing the respondents to grant them the benefit.

3.The learned counsel for the respondents would submit that the representation given by the petitioner is under consideration. This Court expects that the Transport Corporation will be in a position to pass final orders on the representation given by the petitioner, within a period of two weeks.

4.Post the matter on 29.09.2016 for reporting compliance."

2.In continuation of the order passed on 08.09.2016, the matter was taken up later.

3.As per undertaking given to this Court, the Transport Corporation has produced the order dated 16.10.2016 through which it is made known to this Court that the Corporation has paid whatever is the amount payable to the petitioner except with reference to disputed leave salary. So far as the leave salary is concerned, it is represented that there was no leave at the credit of the petitioner at the time of retirement and so that it is not paid.

4.It is also submitted that it is only the third respondent, who is to pay the commuted value of pension as well as the pension arrears in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015.

5.Under such circumstances, the third respondent is directed to pay pension arrears and pension, within a period of



6.The writ petition is disposed of accordingly. No costs.
Sd/-

Assistant Registrar (AE)

/True Copy/

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Sub Assistant Registrar

ry2

To,

1.The Management of
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.

2.The General Manager,
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Corporation (Kumbakonam) Ltd.,
Pudukkottai Region,
Pudukkottai.

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Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 2.

+1CC to Mr.D.Sivaraman, Advocate Sr.No.61953

GJM/Sk/SKN/5.12.16-3p-6C

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