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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.17539 of 2016

P.Raju ... Petitioner

vs.

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

2) The General Manager,
The Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region, Virudhunagar.

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

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondents to grant the petitioner 4th and 5th review benefits and to revise his pay in the Post of Driving Instructor with retrospective effect from 01.09.2010 in terms of Government order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and as per settlement dated 22.01.2011 and further directing the Respondents to pay him the difference amount in his salary and to pay difference in his retirement benefits including difference amount in monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to him from 01.10.2013 to till date together with interest at the rate of 18% per annum.

For Petitioner : Mr.A.Rahul
For R1 & R2 : Mr.D.Sivaraman
For R3 : Mr.A.P.Muthupandian

ORDER

Initially, the petitioner was employed as a Driver in the respondents Transport Corporation and later on, promoted as Driving Instructor. He retired from service on 30.09.2013.

2.His grievance is that he is entitled to revision of scale of pay as per G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also as per the Settlement dated 22.01.2011. Since his pay has

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not been revised, he made a representation dated 09.02.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to grant the petitioner 4th and 5th review benefits and to revise his pay in the Post of Driving Instructor with retrospective effect from 01.09.2010 in terms of Government order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and as per Settlement dated 22.01.2011 and further directing the respondents to pay him the difference amount in his salary and to pay the difference in his retirement benefits including difference amount in monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits payable to him from 01.10.2013 to till date together with interest at the rate of 18% per annum.

3.Learned counsels for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 09.02.2016 and to pass orders.

4.Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 09.02.2016, in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also as per the Settlement dated 22.01.2011 and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

1 Sd/-
Assistant Registrar(CS-I)

/TRUE COPY/

Sub Assistant Registrar

+1cc to M/S.A.RAHUL ADVOCATE SR NO: 53222

nbi
JA-SKS-RR-7.10.2016/2P:2C

W.P(MD)No.17539 of 2016
19.09.2016

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