



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.09.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA
W.P(MD)No.18580 of 2016

WEB COPY

L.Thirunavukkarasu

... Petitioner

vs.

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

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

3)The Administrator,
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 me the 4th and 5th review benefit and revise his pay in the Post and 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 01.05.2012 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

The petitioner joined the service as Driver in the respondents Transport Corporation and later on, he was promoted as Driving Instructor. He retired from service on 30.04.2012.

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 was not revised, he made a representation dated 20.07.2015 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, to direct the respondents to grant him 4th and 5th review benefits and revise his pay in the post of Driving Instructor with retrospective effect from 01.09.2010, in terms of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015, and as per the Settlement dated 22.01.2011 and to further direct 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 01.05.2012 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 20.07.2015 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 20.07.2015, 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.

Sd/-
Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

+1 CC to Mr.A.RAHUL, Advocate, SR No.57444
+1 CC to Mr.D.SIVARAMAN, Advocate, SR No.57274

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