



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.10.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.20065 of 2016

V.Rathinam

... Petitioner

Vs.

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

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

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, praying for the issuance of a Writ of Mandamus, directing the respondents to revise his pay in the Post of Driving Instructor with retrospective effect from 30.10.2010 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 01.03.2013 to till date together with interest at the rate of 18% per annum.

For Petitioner : Mr.A.Rahul
For Respondents 1 and 2 : Mr.D.Sivaraman
For Respondent No.3 : Mr.A.P.Muthupandi

**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 28.02.2013.

2.His grievance is that he is entitled to revision of scale of pay in the post of Driving Instructor 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 not been revised, he made a representation dated 20.06.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to revise the petitioner's pay in the post of Driving Instructor with retrospective effect from 30.10.2010 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 01.03.2013 to till date together with interest at the rate of 18% per annum.

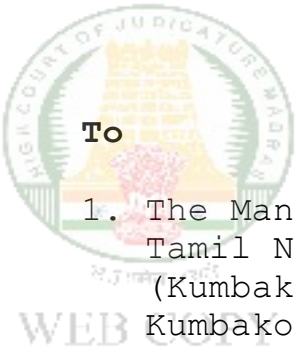
3.Learned counsels for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 20.06.2016 and to pass orders.

4.Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 20.06.2016, 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.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar



To

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

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

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

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 62231

+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 61975

SMN

TE/GSV-PM : 10/11/2016 : 3P/6C

W.P (MD) No.20065 of 2016
19.10.2016