



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.10.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.20312 of 2016

M.Selvaraj

... Petitioner

vs.

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

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

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

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondents to revise the petitioner's pay in the Post of Checking Inspector with retrospective effect from 19.07.2011 in terms of Government Order in G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and as per settlement dated 13.04.2015 with enhanced dearness allowance at the rate of 100% and further directing the respondents to pay him the difference amount in his salary from 19.07.2011 to 31.05.2014 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 including surrender leave salary for the years 2010, 2011, 2013 and 2014, dearness allowance arrears on monthly pension, uniform stitching charges etc., together with interest at the rate of 18% per annum.

For Petitioner

: Mr.A.Rahul

<https://hcservices.courts.gov.in/hcservices/>

For R1 & R2

: Mr.D.Sivaraman

For R3

: Mr.A.P.Muthupandian

ORDER

The petitioner was employed as Checking Inspector in the respondents Transport Corporation; he retired from service on 31.05.2014; 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 13.04.2015; since his pay was not revised, he made a representation dated 14.12.2015 therefor; that representation was not considered and therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to revise the petitioner's pay in the Post of Checking Inspector with retrospective effect from 19.07.2011 in terms of Government Order in G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and as per the settlement dated 13.04.2015 with enhanced dearness allowance at the rate of 100% and further directing the respondents to pay him the difference amount in his salary from 19.07.2011 to 31.05.2014 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 including surrender leave salary for the years 2010, 2011, 2013 and 2014, dearness allowance arrears on monthly pension, uniform stitching charges etc., together with interest at the rate of 18% per annum.

2.Learned counsels for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 14.12.2015 and to pass orders.

3.Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 14.12.2015, in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also as per the Settlement dated 13.04.2015 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(Writs)

/True Copy/

Sub Assistant Registrar

To

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



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

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

+1 cc to MR.A.RAHUL, Advocate Sr.No.62896

+1 cc to MR.D.SIVARAMAN, Advocate Sr.No.62797

W.P (MD) No.20312 of 2016
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SMA/CK/09.11.2016:3P/6C