



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2016

CORAM :

WEB COPY

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.21157 of 2016

S.Malaiappan

.. 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,
Thanjavur District.

.. Respondents

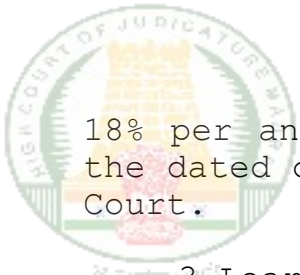
Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to pay the difference in gratuity and leave salary based on VIth Pay Commission recommendations in terms of G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009 together with interest at the rate of 18% per annum from the date of the petitioner's retirement to till the date of payment within the time frame that may be fixed by this Court.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.D.Sivaraman

ORDER

Initially, the petitioner was employed as a Junior Assistant in the respondents Transport Corporation and later on, promoted as Superintendent. He retired from service on 31.01.2010.

2.His grievance is that he is entitled to revision of scale of pay in the post of Superintendent as per G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009. Since his pay has not been revised, he made a representation dated 14.09.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to pay the difference in gratuity and leave salary based on VIth Pay Commission recommendations in terms of G.O.Ms.No.250, Finance (BPF) Department, dated 17.06.2009 together with interest at the rate of



18% per annum from the date of the petitioner's retirement to till the dated of payment within the time frame that may be fixed by this Court.

3. Learned counsels for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 14.09.2016 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 14.09.2016, in the light of G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009 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 (CO)

/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,
Thanjavur District.

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 66427
+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 66260

SMN

TE/GSV-PM : 18/11/2016 : 2P/5C

ORDER MADE IN
W.P (MD) No.21157 of 2016
04.11.2016