



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE **S.VIMALA**

W.P (MD) No.21161 of 2016

D.Govindaraj

.. 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,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam, 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 grant petitioner the 4th and 5th review benefits and revise his pay in the post of Checking Inspector 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 further directing the respondents to pay the difference amount in his salary from 01.09.2010 to 31.01.2013 and to pay difference in his retirement benefits including difference in monthly pension, gratuity, Leave Salary, Commuted Value of Pension and all other attendant benefits payable to the petitioner from 01.02.2013 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.Muthupandian

ORDER

Initially, the petitioner was employed as a Conductor in the respondents Transport Corporation and later on, promoted as Checking Inspector. He retired from service on 31.01.2013.

2.His grievance is that he is entitled to revision of scale of pay in the post of Checking Inspector 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 03.10.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to grant 4th and 5th review benefits to him and to revise his pay in the post of Checking Inspector 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 further directing the respondents to pay the difference amount in his salary from 01.09.2010 to 31.01.2013 and to pay difference in his retirement benefits including difference in monthly pension, gratuity, Leave Salary, Commuted Value of Pension and all other attendant benefits payable to the petitioner from 01.02.2013 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 03.10.2016 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 03.10.2016, 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(CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.
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 Illam, Pallavan Salai,
Chennai - 2.

+1 cc to MR.A.RAHUL, Advocate SR.NO.66436

+1 cc to MR.D.SIVARAMAN, Advocate SR.No.66244

W.P(MD)No.21161 of 2016

04.11.2016