



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.11.2016

CORAM :

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

W.P(MD)No.22354 of 2016

C.Karunanidhi

... Petitioner

vs.

1.The Managing Director,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
No.27, Railway Station Road,  
Kumbakonam,  
Thanjavur District.

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

3.The Administrator,  
Tamil Nadu State Transport Corporation  
Employees' 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 the petitioner 4th and 5th review benefits and revise his pay with retrospective effect from 01.09.2010 in terms of Government order in G.O.Ms.No. 61 Transport (C1) Department dated 30.04.2015 and as per 12(3) Settlement dated 13.04.2015 and further directing the respondents to pay the petitioner difference amount in his salary from 01.09.2010 to 30.6.2014 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 him from 30.06.2014 to till date together with interest at the rate of 18% per annum.



For Petitioner : Mr.N.Sudhagar Nagaraj  
For R1 & R2 : Mr.D.Sivaraman  
For R3 : Mr.A.P.Muthupandian

ORDER

WEB COPY

Initially, the petitioner was employed as a Conductor in the respondents Transport Corporation and later on, promoted as Special Grade Conductor. He retired from service on 30.06.2014.

2.The grievance of the petitioner is that he is entitled to revision of scale of pay in the post of Special Grade Conductor as per G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also as per the 12(3) Settlement 13.04.2015. Since his pay has not been revised, he made a representation dated 27.09.2016 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the respondents to grant the petitioner 4th and 5th review benefits and revise his pay with retrospective effect from 01.09.2010 in terms of Government order in G.O.Ms.No. 61 Transport (C1) Department dated 30.04.2015 and as per 12(3) Settlement dated 13.04.2015 and further directing the respondents to pay the petitioner difference amount in his salary from 01.09.2010 to 30.6.2014 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 him from 30.06.2014 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 27.09.2016 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 27.09.2016, in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also as per the 12(3) 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 (CS-II)

/True Copy/

Sub Assistant Registrar



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To,

1.The Managing Director,  
Tamil Nadu State Transport Corporation  
(Kumbakonam) Ltd.,  
No.27, Railway Station Road,  
Kumbakonam,  
Thanjavur District.

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

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

+1CC to Mr.N.Sudhagar Nagaraj, Advocate Sr.No.72191

+1CC to Mr.D.Sivaraman, Advocate Sr.No.72161

SM/SKS/RR/23.12.16-3p-6C

W.P (MD) No.22354 of 2016  
23.11.2016