



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.22593 of 2016

... Petitioner

vs.

1.The Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd., Karaikudi Region,
Karaikudi - 630 307.

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

Prayer: Petition is 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 pay in the post of Senior 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 as per the 12(3) settlement dated 22.01.2011 and further directing the Respondents to pay the difference in his salary from 04.05.2012 to 30.06.2012 and also to pay difference in his Retirement Benefits including difference in monthly pension, Gratuity, commuted value of pension, leave salary and all other attendant benefits payable to the petitioner from the date of retirement i.e., 30.06.2012 to till date of the payment together with interest at the rate of 18% per annum.

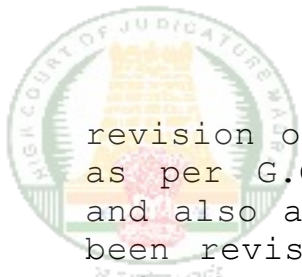
For Petitioner : Mr.A.Rahul
For Respondents : Mr.A.P.Muthupandian

ORDER

Initially, the petitioner was employed as a Conductor in the respondents Transport Corporation and later on, promoted as Senior Checking Inspector. He retired from service on 30.06.2012.

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

2.The grievance of the petitioner is that he is entitled to



revision of scale of pay in the post of Senior Checking Inspector as per G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also as per the Settlement 22.01.2011. Since his pay has not been revised, he made a representation dated 10.11.2016 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 Senior Checking Inspector with retrospective effect from 01.09.2010, in terms of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and as per the 12(3) Settlement dated 22.01.2011 and further directing the respondents to pay the difference in his salary from 04.05.2012 to 30.06.2012 and also to pay difference in his retirement benefits including difference in monthly pension, Gratuity, commuted value of pension, leave salary and all other attendant benefits payable to the petitioner from the date of retirement i.e., 30.06.2012 to till date of the payment together with interest at the rate of 18% per annum.

3.Learned counsel for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 10.11.2016 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 10.11.2016, 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[Records]

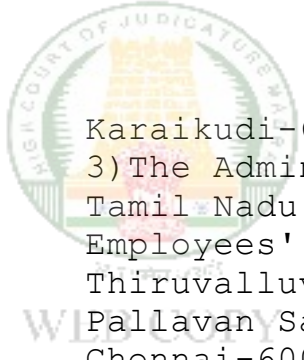
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Sub Assistant Registrar

To

1)The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.
Kubakonam-612 001.

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



Karaikudi-630 307.

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

+1cc to M/S.D.Sivaraman, Advocate, SR.72982

+1cc to M/S.A.K.Thangavelu, Advocate, SR.72762

mj

KK/MAM/11.01.2017/3P/6C

W.P (MD) No.22593 of 2016
25.11.2016