



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2016

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THE HONOURABLE DR.JUSTICE S.VIMALA

W.P(MD)No.22602 of 2016

T.Krishnakumar

... Petitioner

vs.

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

2)The General Manager,
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-600 002.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent in Ref:Tha Aa Po Ka/Kumba/Nir-7/Thani/2015 dated 26.09.2015, to quash the same in so far as not fixing any time limit for disbursing pay revision arrears and difference in retirement benefits and further directing the respondents to pay him the difference amount in the petitioner's salary 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 payable to him from 01.07.2013 to till date together with interest at the rate of 18% per annum.



For Petitioner : Mr.A.Rahul

For R1 & R2 : Mr.D.Sivaraman

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ORDER

This Writ of Certiorarified Mandamus has been filed, challenging the impugned order dated 26.09.2015 passed by the 2nd respondent and to disburse pay revision arrears and difference in the retirement benefits of the petitioner, based on G.O.Ms.No.61, Transport Department, dated 30.04.2015.

2.The learned counsel for the petitioner has submitted that the impugned order dated 26.09.2015 did not give any required remedy to the petitioner and therefore, the same has to be set aside.

3.The learned standing counsel for the respondents corporation pointed out that the answer given in the impugned order, is in very general terms and it has not considered the claim of the petitioner, in the light of G.O.Ms.No.61 and therefore, the impugned order can be brushed aside and there can be a further direction to the respondents, to consider the representation of the petitioner, dated 07.11.2016, in the light of G.O.Ms.No.61.

4.Perusal of the impugned order goes to show that the reply has been given by the corporation, but without reference to G.O.Ms.No.61 and therefore, the impugned order will not have any relevance to the specific claim made by the petitioner.

5.Hence, the respondents are directed to consider the representation of the petitioner dated 07.11.2016, seeking pay revision arrears and difference in the retirement benefits in the light of G.O.Ms.No.61, and to pass appropriate orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar



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

2) The General Manager,
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.D.SIVARAMAN, ADVOCATE IN SR No. 73491
+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 73328

NBI

TE/PM-PN : 17/02/2017 : 3P/6C

W.P (MD) No. 22602 of 2016
25.11.2016