



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.22694 of 2016

V.Balusamy

.... Petitioner

Vs.

1.The Management of

Tamil Nadu State Transport Corporation

(Kumbakonam) Ltd., Kumbakonam,

Rep by its Managing Director,

Kumbakonam.

2.The Management of

Tamil Nadu Transport Corporation (Kumbakonam)

Ltd., Karaikudi Region,

Rep by its General Manager,

Karaikudi.

.... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the Respondents to pay the petitioner Rs.53 373/- towards arrears of wages for the period from 17.06.2009 to 30.11.10 after correctly fixing his scale of pay payable for the post of Senior Superintendent as per the order of the Government in its letter dated 31.08.10 w.e.f. 17.06.2009 and also by giving him correct dearness allowance as ordered/fixed for the period from 01.07.2010 to 30.11.10 and Rs.40, 211/- and Rs.22,693/- as towards balance of gratuity and leave salary respectively, after calculating/revising the same based monthly wages payable to him for the month of November 2010 and Rs.93,675/- towards encashment of leave on personal affairs and also Rs.15,612/- towards wages for 15 days of earned leave surrendered by him on August 2010, all together with 18% p.a., within a time frame as may be fixed by this Court.

For Petitioner

:Mr.S.Arunachalam

For Respondents

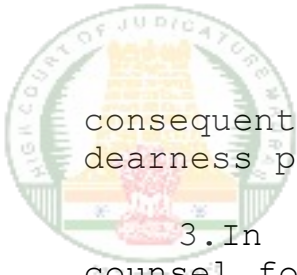
: Mr.D.Sivaraman

ORDER

The petitioner who was working as Senior Superintendent in the second respondent corporation, retired from service on 30.11.2010. He claims that after retirement, arrears of wages are not correctly paid to the petitioner in correct scale of pay for the period from 17.06.2009 to 30.11.2010 and this benefit is claimed in terms of the Government letter dated 31.08.2010.

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

2.The learned Standing Counsel appearing for the respondents would submit that retirement benefits have already been paid to the petitioner and what is claimed by the petitioner is the



consequential increase in pay, on account of revision in the dearness pay.

3. In view of the submission made by the learned Standing counsel for the respondents and also in view of the claim made by the petitioner, the respondents are directed to consider the representation of the petitioner dated 31.07.2015 and pass 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.

4. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar[Writs]

/True copy/

Sub Assistant Registrar

TO
+1cc to Mr.S.Arunachalam, Advocate, SR.79278
+1cc to Mr.D.Sivaraman, Advocate, SR.78286
MJ
KK/MAM/11.01.2017/2P/3C

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