



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.01.2017

CORAM

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THE HON'BLE MR.JUSTICE S.VAIDYANATHANW.P.(MD) No.1223 of 2017

N.V.Selvaraj
Son of Vaithy,
Checking Inspector(Retired)
Staff No.80 TS 4007,
P.S.No.14049,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Pudukkottai Region.

Residing at

Door No.120C.31, Ooran Adigal Street,
Narasinga Mangalam,
Samayapuram, Manachanallur Taluk,
Trichy District - 621 112.

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation
(Kumbakonam)Limited,
represented by its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Pudukkottai Region,
Pudukkottai.

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

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to grant to the Petitioner's 4th and 5th review benefits and to revise his pay in the post of Checking Inspector with retrospective effect from 1.9.2010 in terms of Government Order in G.O.Ms.No.61, Transport (C) Department, dated 30.4.2015 and as per settlement dated 22.1.2011 and further to direct the respondents to pay him the difference amount in his 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 1.2.2012 to till the date of payment together with interest at the rate of 18% per annum.

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For Petitioner : M/s.A.Rahul
For Respondents : Mr.D.Sivaraman
1 and 2
For Respondent-3 : Mr.A.P.Muthupandian,
Standing Counsel

ORDER

This Writ Petition has been filed, seeking a direction to the respondents to grant to the Petitioner's 4th and 5th review benefits and to revise his pay in the post of Checking Inspector with retrospective effect from 1.9.2010 in terms of Government Order in G.O.Ms.No.61, Transport (C)Department, dated 30.4.2015 and as per settlement dated 22.1.2011 and further to direct the respondents to pay him the difference amount in his 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 1.2.2012 to till the date of payment together with interest at the rate of 18% per annum.

2.Mr.D.Sivaraman, learned counsel takes notice for R1 and R2 and Mr.A.P.Muthupandian, learned Standing Counsel takes notice for the third respondent. By consent of both parties, the Writ Petition itself is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the Petitioner has retired as Checking Inspector from the respondents Corporation on 31.01.2012. Since the Petitioner's 4th and 5th review benefits and revised pay in the post of Checking Inspector with retrospective effect from 1.9.2010 in terms of Government Order in G.O.Ms.No.61, Transport (C)Department, dated 30.4.2015 and as per settlement dated 22.1.2011 and the difference amount in his salary and difference in his retirement benefits including difference amount in monthly pension, gratuity, leave salary, commuted value of pension and all other attendant benefits has not been disbursed to him, he has submitted a representation on 03.01.2017, in this regard and since the said representation did not evoke any response, the petitioner is before this Court with the present Writ Petition for the relief stated supra.

4. The counsel for the respondents would submit that it is agreeable for the respondents to consider the representation of the petitioner and pass orders thereon.



5. In view of the submission, the respondents concerned is directed to consider the representation of the petitioner, dated 3.1.2017 in the light of G.O.Ms.No.61, Transport (C)Department, dated 30.4.2015 and as per settlement dated 22.1.2011 and to pass appropriate orders on the same, in accordance with law within a period of two months from the date on which a copy of this order is made ready, preferably on or before 30.3.2017. No costs.

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar(CS)
Madurai Bench of Madras High Court,
Madurai-23.

To:

1.The Tamil Nadu State Transport Corporation
(Kumbakonam)Limited,
represented by its Managing Director,
Kumbakonam.

2.The General Manager,
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(Kumbakonam) Limited,
Pudukkottai Region,
Pudukkottai.

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

+1cc to M/s.MR.A.RAHUL, Advocate in SR. nO,4184

+1cc to M/s.D.SIVARAMAN Advocate in SR. nO.4268

VSN

JS/BS/09.02.2017/3P-5C