



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.07.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) No.13583 of 2017

P.Innasi

... Petitioner

-vs-

1. The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Represented by its Managing Director,
Tirunelveli.

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

3. The Administrator,
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to grant the petitioner the fifth review benefit and to revise his pay in the Post of Checking Inspector with retrospective effect from 25.07.2012 in terms of Government Order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and as per settlement dated 22.01.2011 and further directing 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 01.02.2015 to till date together with interest at the rate of 18% per annum.

For Petitioner
For Respondents

: Mr.A.Rahul
: Mr.K.Sathiya Singh
Standing Counsel for TNSTC

O R D E R

Heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.K.Sathiya Singh, learned Standing Counsel appearing for the respondents.

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2. By consent of both sides, this writ petition itself is taken up for final disposal

3.The petitioner, who is a retired Conductor from the first respondent Corporation, has come to this Court seeking a Writ of Mandamus directing the respondents to grant him fifth review benefits and to revise his pay in the Post of Checking Inspector with retrospective effect from 25.07.2012 in terms of Government Order in G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and as per settlement dated 22.01.2011 and 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 01.02.2015 to till date together with interest at the rate of 18% per annum.

4.The learned counsel appearing for the petitioner submitted that the petitioner retired from service with effect from 31.01.2015 as a conductor from the first respondent Corporation and he claimed fifth review benefits, since he was given only third review benefits. Therefore, he has given a representation to the first respondent indicating that the first respondent is bound to implement revised pay fixation and revised retirement benefits applicable to the Checking Inspector and Driving Instructor in terms of the G.O.Ms.No.61, Transport (C) Department dated 30.04.2015 and in terms of settlement reached under Section 12(3) of I.D. Act 1947, dated 22.01.2011.

5.This Court, without going into the merits of the case, directs the first respondent to consider the petitioner's representation dated 28.03.2017 and pass orders on merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order.

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/



To

1. The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Represented by its Managing Director,
Tirunelveli.
2. The General Manager,
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli Region,
Tirunelveli.
3. The Administrator,
The Tamil Nadu State Transport Corporation (Tirunelveli) Ltd.,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

+1cc to Mr.A.Rahul, Advocate Sr.No.67385

+1cc to Mr.K.Sathiya Singh, Advocate Sr.No.67210

MRN/NS

VB/MR/KKR/SAR4/16/08/2017/3P/6C

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