



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.09.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.17239 of 2017

V.A.Sebastian ... Petitioner
-vs-

1.The Management of
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Madurai region,
Rep. by its General Manager,
Madurai.

2.The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2. ... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to pay the petitioner difference / arrears of wages for the period from 01.09.2010 to 28.02.2011 based on the scales of pay payable to him for the period from 01.09.2010 to 28.02.2011, after revising / re-fixing the same in the scale of pay payable to Selection Grade Driving Instructor - II as per G.O.Ms.No.61 dated 30.04.2015, Transport (D) Department, Government of Tamil Nadu, and also to pay him arrears of all the terminal benefits based on such re-fixed wages payable to him on the month of his retirement, i.e., February 2011 together with 18% interest per annum and further directing the respondents to revise his pension from 01.03.2011 based on such re-fixed wages payable to him on the month of his retirement and to pay him arrears of the same for the period from 01.03.2011, together with 18% interest per annum, within time frame fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For Respondent No.1 : Mr.A.Jeyaram
Standing Counsel for TNSC

For Respondent No.2 : Mr.A.P.Muthu Pandian Standing Counsel
for TNSC



O R D E R

By the consent of both sides, the writ petition itself is taken for final disposal.

2.The petitioner is a retired Driving Instructor in the respondent Corporation. On reaching the age of superannuation, the petitioner retired from service with effect from 28.02.2011. The grievance of the petitioner is that arrears of wages for the period from 01.09.2010 to 28.02.2011 based on the scales of pay payable to the petitioner for the period from 01.09.2010 to 28.02.2011, after revising / re-fixing the same in the scale of pay payable to Selection Grade Driving Instructor - II as per G.O.Ms.No.61 dated 30.04.2015, Transport (D) Department, Government of Tamil Nadu, has not been disbursed to the petitioner. The petitioner has given a representation on 27.04.2017. Since, the said representation is pending consideration, the petitioner is before this Court with the present writ petition.

3.Mr.Jeyaram, learned Standing Counsel for TNSTC, who takes notice for the first respondent and Mr.A.P.Muthu Pandian, learned Standing counsel for TNSTC, who takes notice for the second respondent, seek time to consider the petitioner's representation.

4.Eventhough, this Court has a little hesitation to order the prayer as it is, since the petitioner who retired from service with effect from 28.02.2011 had made a representation to the respondents only on 21.07.2017, this Court, without going into the merits of the matter, hereby directs the respondent to consider the petitioner's representation dated 27.04.2017. If the petitioner is found entitled, the same shall be disbursed to the petitioner in the light of G.O.Ms.No.61 dated 30.04.2015.

5.The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(Records)

/True Copy/

Sub-Assistant Registrar



To

1.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Madurai region,
Madurai.

2.The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2.

+One cc to Mr.S.Arunachalam, Advocate, SR>No.78452

Mrn/MR
RL/4C/3P/JC/SAR2/20/10/2017

W.P.(MD)No.17239 of 2017

13/09/2017