



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Reserved on : 11.10.2017

Delivered on : 12.10.2017

CORAM :

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P (MD) No.18889 of 2017

K.Panneerselvam

... Petitioner

vs.

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

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the Respondents to revise his pay in the Post of Driving Instructor with retrospective effect from 01.09.2010 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 01.11.2010 to till date together with interest at the rate of 18% per annum.

For Petitioner

: Mr.A.Rahul

For Respondents

: Mr.D.Sivaraman

Standing Counsel

ORDER

The petitioner in the Writ Petition has sought for a direction to the respondent to revise his pay in the Post of Driving Instructor with retrospective effect from 01.09.2010 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 01.11.2010 to till date together with interest at the rate of 18% per annum.

2.Heard Mr.A.Rahul, the learned counsel appearing for the petitioner and Mr.D.Sivaraman, the learned Standing Counsel, who has taken notice for the respondents and perused the records and the Writ Petition is taken up for disposal at the stage of admission itself.

3.Though the petitioner has sought for a larger relief, the learned counsel for the petitioner brings to the notice of this Court that in the typed set filed along with the writ petition, the petitioner has placed a copy of the representation dated 30.01.2017, in which he has claimed the relief sought in the writ petition from the respondents, but the same has not evoked any response till date.

4.The learned Standing Counsel for the respondents on instruction states that the aforesaid representation of the petitioner could be disposed of within a specified time frame.



appropriate to adopt such recourse for directing disposal of the representation of the petitioner by the second respondent and in the event of any adverse order, the petitioner may thereafter impeach the same in a manner recognized by law.

6. Accordingly, this Writ Petition is disposed of with a direction to the second respondent to dispassionately consider the representation of the petitioner dated 30.01.2017, and pass reasoned orders thereon, on merits and in accordance with law and communicate such decision to the petitioner and file a report of such compliance before the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai on or before 30.11.2017. It is needless to add here that the admitted amount of monetary benefits shall be expeditiously disbursed by the Respondents to the petitioner and in any event, within a period of one month from the date of passing of the order disposing the representation. No costs.

Sd/-

Assistant Registrar

/True copy/

Sub Assistant Registrar

To

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



Copy to

The Registrar (Judicial),
Madurai Bench of Madras High Court,
Madurai.

+ 1 CC TO MR.A.Rahul, ADVOCATE IN SR No.82883

+ 1 CC TO MR.D.Sivaraman, ADVOCATE IN SR No.82357

sj

MK/KP/SAR-4/26.10.2017/4P/7C

Pre-delivery order in
W.P(MD)No.18889 of 2017
12.10.2017