



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.12.2017

CORAM :

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

WEB COPY

W.P (MD) No.19510 of 2017

I.Maruthupandian

... 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.,
Karaikudi Region,
Karaikudi.

... 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 the petitioner's pay by taking dearness allowance at the rate of 65% of the basic pay and grade pay as per Tamilnadu Government in Letter (Ms) No.109/D/2012 Transport (D) Department dated 06.06.2012 and consequently direct the Respondents to compute and pay him, the difference amount in salary, gratuity, leave salary by taking into account revised rate of dearness allowance i.e., at the rate of 65% of basic pay + Grade Pay as fixed in Letter (Ms) No.109/D/2012 Transport (D) Department dated 06.06.2012 within the time that may be stipulated by this Hon'ble Court.

For Petitioner	: Mr.A.Rahul
For Respondents	: Mr.D.Sivaraman
	Standing Counsel

ORDER

The petitioner in this Writ Petition has sought for a direction to the respondents to revise the pay of the petitioner by taking dearness allowance at the rate of 65% of the basic pay and grade pay as per Tamilnadu Government in Letter (Ms) No.109/D/2012 Transport (D) Department dated 06.06.2012 and consequently direct the Respondents to compute and pay him, the difference amount in salary, gratuity, leave salary by taking into account revised rate of dearness allowance i.e., at the rate of 65% of basic pay + Grade Pay as fixed in Letter (Ms) No.109/D/2012 Transport (D) Department dated 06.06.2012 within a time frame.

<https://hcservices.courts.gov.in/hcservices/>
2. Per order of Mr.A.Rahul, the learned counsel appearing for the petitioner and Mr.D.Sivaraman, the learned Standing Counsel



appearing for the respondents. By consent of both sides, this Writ Petition itself was taken up for final disposal at the time of admission.

3. Though the petitioner has sought for a larger relief in the Writ Petition, the learned counsel appearing for the petitioner submits that before filing of the Writ Petition a representation dated 17.11.2016 had been made by the petitioner for the relief sought in the Writ Petition and it would suffice if the said representation is considered.

4. The learned counsel appearing for the respondents submits that the said representation is still pending with the respondents and the same would be considered in accordance with law.

5. In the circumstances, this Court without expressing any view on the entitlement or otherwise of the petitioner, directs the second respondent to dispassionately consider the representation of the petitioner dated 17.11.2016, and pass reasoned orders thereon, on merits and in accordance with law and communicate the decision taken to the petitioner and file a report of such compliance before the Registrar (Judicial), Madurai Bench of Madras High Court, Madurai on or before 31.01.2018.

6. Accordingly, this Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

Copy to

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

+1cc to Mr.A.Rahul, Advocate Sr.No.93599

+1cc to Mr.D.Sivaraman, Advocate Sr.No.93646

SJ

VB/SV/MMS/SAR4/05/01/2018/2P/4C

order in
W.P (MD) No.19510 of 2017
18.12.2017