



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. (MD) No.23674 of 2017

K.Santhanakrishnan

... Petitioner

Vs.

1. Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Represented by its Managing Director,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region, Kumbakonam.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the difference in gratuity and leave salary based on VI pay Commission recommendations in terms of G.O.Ms.No.250, Finance (BPE) Department dated 17.06.2009 together with interest at the rate of 18% per annum from the date of petitioner's retirement to till the date of payment within the time frame that may be fixed by this Court.

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

O R D E R

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to pay the difference in gratuity and leave salary based on VI pay Commission recommendations in terms of G.O.Ms.No.250, Finance (BPE) Department dated 17.06.2009 together with interest at the rate of 18% per annum from the date of petitioner's retirement to till the date of payment within the time frame that may be fixed by this Court.

2.Heard Mr.A.Rahul, learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned Standing Counsel, who takes notice on behalf of the respondents. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.



3.It is informed by the learned counsel for the petitioner that before filing of the Writ Petition, the petitioner has made a representation dated 09.12.2017 to the respondents for the relief sought in this Writ Petition, which is still pending and submits that the petitioner would be satisfied, if the said representation is disposed of within a time frame that may be fixed by this Court.

4.Having regard to the aforesaid restricted nature of relief sought by the petitioner, this Court, without expressing any view on the correctness or entitlement of the claim made, directs the second respondents to dispassionately consider the representation dated 09.12.2017 made by the petitioner and pass reasoned orders on merits in accordance with law and communicate the decision taken to the petitioner and file a report of such compliance before the Registrar (Judicial) of this Court on or before 31.01.2018.

5.With the aforesaid direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region, Kumbakonam.
3. The Registrar(Judicial),
Madurai Bench of Madras High Court, Madurai.

+ 1 cc TO Mr.A.Rahul , Advocate in SR No. 94702
+ 1 cc TO Mr.D.Sivaraman , Advocate in SR No. 94229

Myr/ta
AE/SV MMS/SAR1/10.01.2018/2P/6C

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