



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.03.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD) .No.4182 of 2017

Arockiasamy

..Petitioner

Vs.

1.Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
No.27, Railway Station New Road,
Kumbakonam-612 001.

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

3.The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to pay difference amount in Pension and Commuted Value of Pension that is Rs.48,623/- and Rs.12,758/- respectively to the petitioner with interest at 18% per annum within the stipulated time that may be fixed by this Court in accordance with G.O.MS.No.61 Transport Department, dated 30.04.2015 and 12(3) settlement, dated 22.01.2011, and to pay interest at 18% per annum for Rs.54,705/- settle belatedly to the petitioner towards difference in salary and difference in gratuity from the date of his retirement to till the date on which the above amount was paid to him.

For Petitioner : Mr.A.Rahul

For R1 to R3 : Mr.D.Sivaraman
Standing Counsel for TNSTC

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pay difference amount in Pension and Commuted Value of Pension that is Rs.48,623/- and Rs.12,758/- respectively to the petitioner with interest at 18% per annum within the stipulated time that may be fixed by this Court in accordance with G.O.MS.No.61 Transport



Department, dated 30.04.2015 and 12(3) settlement, dated 22.01.2011, and to pay interest at 18% per annum for Rs.54,705/- settled belatedly to the petitioner towards difference in salary and difference in gratuity from the date of his retirement to till the date on which the above amount was paid to him.

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2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel for TNSTC appearing for the respondents.

3. Mr. D. Sivaraman, learned Standing Counsel for TNSTC, takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is filed for issuance of Writ of Mandamus, directing the respondents to pay the difference amount in Pension and Commuted Value of Pension together with interest, the learned counsel for the petitioner would submit that he will be satisfied if a direction is issued to the respondents 2 and 3 to consider the representation of the petitioner, dated 08.02.2017, on merits within a time stipulated by this Court.

5. Considering the limited scope of the prayer in the Writ petition, without expressing any opinion on the merits of the matter, this Court is inclined to issue the following direction:-

"The respondents 2 and 3 are directed to consider the representation of the petitioner, dated 08.02.2017, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub-Assistant Registrar

To

+1 cc to M/S.A.RAHUL, ADVOCATE, SR NO.14199

+1 CC TO M/S.D.SIVARAMAN, ADVOCATE, SR NO.14286

pmu

MAS/RR:28.03.2017:2P-3C

ORDER MADE IN
W.P. (MD) .No. 4182 of 2017
13.03.2017