



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.04.2017

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THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.(MD).No. 7618 of 2017

M.Pannerselvam

..Petitioner

Vs.

1. The Management of
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region, Rep. by its General Manager, Trichy.

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

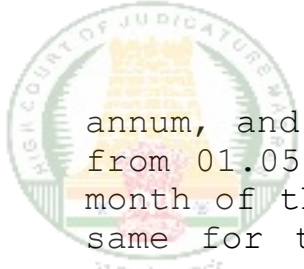
.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to pay the petitioner difference/arrears of wages for the period from 01.02.2014 to 30.04.2015 based on the scales of pay as re-fixed and as mentioned in his service register and also to pay him difference in his terminal benefits namely Gratuity and Encashment of Leave Salary and etc., based on such re-fixed wages payable to him on the month of his retirement, together with 18% interest per annum, and further directing the respondents to revise his pension from 01.05.2015 based on such re-fixed wages payable to him on the month of the petitioner's retirement and to pay him arrears of the same for the period from 01.05.2015, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For R-1 : Mr.D.Sivaraman,
Standing Counsel for T.N.S.T.C.,
For R-2 : Mr.A.P.Muthupandian,
Standing Counsel for T.N.S.T.C.,

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the first respondent to pay the petitioner difference/arrears of wages for the period from 01.02.2014 to 30.04.2015 based on the scales of pay as re-fixed and as mentioned in his service register and also to pay him difference in his terminal benefits namely Gratuity and Encashment of Leave Salary and etc., based on such re-fixed wages payable to him on the month of his retirement, together with 18% interest per



annum, and further directing the respondents to revise his pension from 01.05.2015 based on such refixed wages payable to him on the month of the petitioner's retirement and to pay him arrears of the same for the period from 01.05.2015, together with 18% interest per annum, within a time frame as may be fixed by this Court.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel for T.N.S.T.C., appearing for the respondents.

3. Mr.D.Sivaraman, learned Standing Counsel for T.N.S.T.C., takes notice for the first respondent and Mr.A.P.Muthupandian, learned Standing Counsel for T.N.S.T.C., takes notice for the second respondent. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a Writ of Mandamus to give a positive direction, the learned counsel for the petitioner submits that the petitioner will be satisfied if a direction is issued to the first respondent to consider the representation of the petitioner, dated 10.02.2017.

5. Considering the limited scope of the prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The first respondent is directed to consider the representation of the petitioner, dated 10.02.2017, in the light of Pay Revision that was granted to the petitioner as per the endorsement dated 01.02.2014 and 01.02.2015 made in the Service Register of the petitioner, 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-III)

/TRUE COPY/

SUB ASSISTANT REGISTRAR

To

+1 CC TO MR.S.ARUNACHALAM, ADVOCATE, SR NO.53746

+1 CC TO M/S.D.SIVARAMAN, ADVOCATE, SR NO.53543

pmu

MAS/SV-MMS/SAR4:17.05.2017:2P-3C

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ORDER MADE IN
W.P. (MD) .No. 7618 of 2017
24.04.2017