



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 08.11.2016

CORAM :

THE HONOURABLE DR. JUSTICE S. VIMALA

W.P (MD) No. 21373 of 2016

Rassaldhas

... Petitioner

Vs.

1. The State of Tamil Nadu rep. by its Secretary,
Tamil Nadu State Transport Corporation,
Secretariat, Fort St. George, Chennai - 600 009.

2. The Managing Director,
Tamil Nadu State Transport Corporation (Tiruenvalveli) Ltd.,
Tiruenvalveli.

3. The General Manager,
Tamil Nadu State Transport Corporation (Tiruenvalveli) Ltd.,
Ranithottam, Nagercoil - 629 001,
Kanyakumari District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the second and third respondents herein to pay the fourth and fifth review benefit salary, increments arrears, Gratuity and all other monetary benefits to the petitioner as per G.O.Ms.No.61, order dated 30.04.2015 with effect from 01.09.2010 on the basis of petitioner's representation dated 09.06.2015 forth with.

For Petitioner	: Mr.C.Sankar Prakash
For R1	: Mr.M.Murugan, Government Advocate.
For R2 and 3	: Mr.K.Sathiyasingh

ORDER

Initially, the petitioner was employed as a Driver in the respondents Transport Corporation and later on, promoted as Driving Instructor. He retired from service on 31.03.2013.

2. His grievance is that he is entitled to revision of scale of pay in the post of Driving Instructor as per G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also as per the Settlement dated 22.01.2011. Since his pay has not been revised, he made a representation dated 09.06.2015 therefor and that the same has not been considered. Therefore, the petitioner has sought for this Writ of Mandamus, directing the second and third respondents herein to pay the fourth and fifth review benefit salary, increments arrears, Gratuity and all other monetary benefits to the petitioner as per G.O.Ms.No.61, dated 30.04.2015 with effect from 01.09.2010 on the basis of petitioner's representation dated 09.06.2015 forth with.



3.Learned counsels for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 09.06.2015 and to pass orders.

4.Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 09.06.2015, in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.04.2015 and also as per the Settlement dated 22.01.2011 and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(C.O)

/True Copy/

Sub-Assistant Registrar

To

1.The Secretary,
Government of Tamil Nadu,
Tamil Nadu State Transport Corporation,
Secretariat, Fort St. George, Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport Corporation (Tiruenvalveli) Ltd.,
Tiruenvalveli.

3.The General Manager,
Tamil Nadu State Transport Corporation(Tiruenvalveli) Ltd.,
Ranithottam, Nagercoil - 629 001,
Kanyakumari District.

+One cc to The Special Government Pleader, SR.No.67001

+One cc to Mr.K.Sathiya Singh, Advocate, SR.No.67724

+One cc to Mr.C.Sankar Prakash, Advocate, SR.No.67089

smn

RL/7C/2P/KM/8.12.2016

ORDER MADE IN
W.P(MD)No.21373 of 2016
08.11.2016 (2/3)