

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 11.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA**W.P. (MD)No.7247 of 2016**

K.Ponnaiah

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented its Secretary to Government,
Transport Department and
Chairman of Board of Directors of
State Transport Undertakings,
Fort St. George, Chennai - 9.
2. The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.
3. The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Pudukottai Region,
Pudukottai.
4. The Administrator,
The 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, seeking for issuance of a Writ of Mandamus, directing the respondents to pay difference in salary from 17.06.2009 to 31.12.2009, leave salary, gratuity, commuted value of pension based on sixth pay commission recommendations in terms of G.O.Ms.No235, Finance (Paycell) Department, dated 01.06.2009 and G.O.Ms.No250, Finance (BPE) Department, dated 17.06.2009, together with interest at the rate of 18% per annum from the date of the petitioner's retirement to till the date of payment, within a time that may be stipulated by this Court.



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

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ORDER

The petitioner, retired Senior Superintendent from the second respondent Transport Corporation (Kumbakonam) Ltd., Kumbakonam, has come to this Court, after retired from service on 31.12.2009, has given representations stating that from 17.06.2009 as per the 6th pay commission recommendations, he is entitled to the scale of pay of Rs.9,300-34,800/- with Grade Pay of Rs.4,800/- in terms of G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009. It is also his claim that though an entry to that effect was made in his service register, the monetary benefits including difference in salary from 17.06.2009 to 31.12.2009 and difference in retirement benefits were not paid to the petitioner. Further, the difference in leave salary, gratuity and commuted value of pension have also to be settled to the petitioner based on 6th pay commission recommendations and the same were not calculated based on revision of pay in terms of 6th pay commission recommendations. But, till date, the said representations have not been considered by the respondents. Hence, the petitioner has come to this Court by filing the present Writ Petition.

2.Mr.D.Sivaraman, learned Standing Counsel appearing for T.N.S.T.C., seeks three months time to consider the representation of the petitioner and if he is found eligible to pay the same within three months.

3.This Court placing on record the submission made by the learned Standing Counsel appearing for the respondents, grants two months time to the respondents to consider the representation of the petitioner and disburse the monetary benefits including difference in salary from 17.06.2009 to 31.12.2009, leave salary, gratuity and commuted value of pension, including other monetary benefits, if any, to the petitioner, if he is found eligible, as per 6th pay commission recommendations.

4.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(AD-II)

/True Copy/



To

1. The Secretary to Government of Tamil Nadu,
Transport Department and
Chairman of Board of Directors of
State Transport Undertakings,
Fort St. George, Chennai - 9.

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

3. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Pudukottai Region,
Pudukottai.

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

+1cc to M/S. A.RAHUL, Advocate, SR.No.64744.

+1cc to M/S. D.SIVARAMAN, Advocate, SR.No.64770.

W.P. (MD) No.7247 of 2016
11.07.2017

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