



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.04.2018

CORAM:

THE HONOURABLE MR.JUSTICE **R.SURESH KUMAR**

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W.P.(MD)No.9544 of 2018

G.Kesavan

...Petitioner

-Vs-

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

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Karaikudi Region, Karaikudi.

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

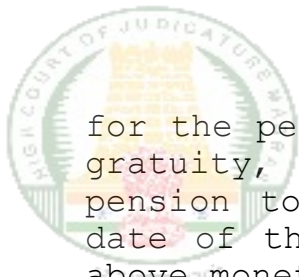
...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to revise the terminal benefits payable to the petitioner including gratuity, earned leave salary, pension and commuted value of pension payable to the petitioner based on G.O.(Ms)No.61, Transport Department dated 30.04.2015 and further directing the respondents to pay the difference amount in the petitioner's salary for the period from 03.05.2011 to 06.01.2015, difference amounts in gratuity, earned leave salary, monthly pension, commuted value of pension together with interest at 18% per annum payable from the date of the petitioner's retirement to till the date on which the above monetary benefits are settled to the petitioner.

For Petitioner	: Mr.A.Rahul
For R1 and R2	: Mr.D.Sivaraman, Standing Counsel
For R3	: Mr.A.P.Muthupandian

ORDER

The prayer sought for in this Writ Petition is for a writ of Mandamus, to direct the respondents to revise the terminal benefits payable to the petitioner including gratuity, earned leave salary, pension and commuted value of pension based on G.O.(Ms)No.61, Transport Department, dated 30.04.2015 and further to direct the respondents to pay the difference amount in the petitioner's salary



for the period from 03.05.2011 to 06.01.2015, difference amounts in gratuity, earned leave salary, monthly pension, commuted value of pension together with interest at 18% per annum payable from the date of the petitioner's retirement to till the date on which the above monetary benefits are settled to the petitioner.

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2. Heard Mr.A.Rahul, learned counsel, appearing for the petitioner, Mr.D.Sivaraman, learned Standing Counsel, who takes notice on behalf of the respondents 1 and 2 and Mr.A.P.Muthu Pandian, learned counsel, who takes notice on behalf of the third respondent.

3. By consent of both parties this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel appearing for the petitioner would submit that with regard to the pay benefits payable to the petitioner, who is a retired employee from the respondent Corporation, he has made a representation dated 10.04.2018. But, so far, nothing is forthcoming from the respondents. Therefore, if a direction is given to the respondents to consider the said representation and an order to that effect is directed to be passed, the petitioner would be satisfied.

5. The learned Standing Counsel appearing for the respondents 1 and 2, would submit that the representation of the petitioner dated 10.04.2018 would be considered by the respondents and an order to that effect would be passed, within a time frame to be stipulated by this Court.

6. The learned counsel appearing for the third respondent would also make similar submission.

7. Considering the said submission made by the learned counsel appearing on both sides, this Court is inclined to dispose of this Writ Petition with the following direction:-

"that the second and third respondents are directed to consider the representation of the petitioner dated 10.04.2018, with regard to the pay benefits and pass orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

No costs.

Sd/-

Assistant Registrar (AD-I)

/True Copy/



+1cc to Mr.D.Sivaraman, Advocate, SR.NO.63669
+1cc to Mr.Mr.A.Rahul, Advocate, SR.No.63811

W.P. (MD) No.9544 of 2018
26.04.2018

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