



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.06.2018

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD) No.12185 of 2018

R.Duraimony

... Petitioner

-vs-

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Ltd.,
Tirunelveli.

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

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

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a WRIT OF MANDAMUS directing the 2nd and 3rd respondents herein to pay the 4th and 5th review benefits of Grade Pay Salary, increments arrears, Gratuity and all other monetary benefits to the petitioner as per the G.O.Ms.No. 61 order dated 30.04.2015 with effect from 1.9.2010 forthwith.

For Petitioner	: Mr.N.S.Ramakrishnan Dass
For Respondents	: Mr.K.Sathysingh, Standing Counsel

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents 2 & 3 herein to pay the 4th and 5th review benefits of Grade Pay Salary, arrears of increments, Gratuity and all other monetary benefits to the petitioner as per G.O.Ms.No.61, dated 30.04.2015, with effect from 1.9.2010, forthwith.

2. Heard Mr.N.S.Ramakrishnan Dass, learned Counsel appearing for the petitioner as well as Mr.K.Sathysingh, learned Standing Counsel, who takes notice for the respondents.



3. The learned Counsel appearing for the petitioner would submit that the petitioner, after having been served as Driving Instructor at the respondent organization, retired from service on 28.02.2015 and he had rendered unblemished service for about 31 years. However, his pay arrears pursuant to the 4th review has not been calculated and disbursed, with the result the difference of pension and other benefits have not been disbursed. In this regard, the petitioner would be entitled to get such difference of pay arrears as well as pension arrears, as per G.O.Ms.No.61, dated 30.04.2015 of the Transport Department. Therefore, the petitioner has submitted a representation on 08.04.2018, however, the same is yet to be considered.

4. The learned Counsel for the petitioner would further submit that, if the said representation of the petitioner dated 08.04.2018 is directed to be considered by the respondents and an order to that effect is directed to be passed within a time frame that may be stipulated by this Court, the petitioner would be satisfied.

5. The learned Standing Counsel appearing for the respondents would submit that the said representation of the petitioner dated 08.04.2018 will be considered on merits and an order to that effect would be passed, within the time frame to be stipulated by this Court.

6. Considering the said submissions made by both sides, this writ petition is disposed of, with the consent of both sides at the admission stage itself, with the following direction:

"that the respondents, especially, 2nd & 3rd respondents, are directed to consider the representation of the petitioner dated 08.04.2018, on merits and in accordance with law and pass orders thereon, by taking into account the Government Order in G.O.Ms.No.61, Transport Department, dated 30.04.2015, within a period of six weeks from the date of receipt of a copy of this order. There shall be no order as to costs."

Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

To

+1cc to Mr.K.Sathysingh, Advocate, SR.No.67338.

+1cc to Mr.N.S.Ramakrishnan Dass, Advocate, SR.No.67425.

W.P. (MD) No.12185 of 2018

GK

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RAM/SB/SAR 3/27.06.2018/2P/3C