



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2018

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) Nos.1003 & 1446 of 2017

and

W.M.P (MD) Nos.17623 & 17625 of 2017

R.Ganesan
G.Paramasivam

... Petitioner in W.P.(MD) No.1003 of 2017
... Petitioner in W.P.(MD) No.1446 of 2017

Vs.

The Management of
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.

... Respondents in both petitions

Common Prayer: Writ Petitions are filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondent not to make recovery of Rs.4,05,720/- & Rs.4,96,314/-, respectively, from the terminal benefits of the petitioners in the name of non-implemented increment cut as mentioned in the settlement of account issued to them.

For Petitioners : Mr.S.Arunachalam
For Respondent : Mr.D.Sivaraman,
Standing Counsel.
(In both petitions)

COMMON ORDER

As the issue involved in both these writ petitions are similar in nature, they are disposed of by way of this common order.

2. In both these writ petitions, the employees of the Transport Corporation have questioned the recovery towards the non-implemented portion of the increment cut after their retirement. The Honourable Division Bench has held that such an enforcement is not permissible in law. The case on hand is squarely covered by the said decision. Therefore, both the writ petitions are liable to be allowed.

3. The learned Standing Counsel appearing for the respondent Corporation would submit that the dues payable to the petitioners would be settled within a period of two months. Such submission of



the learned Standing Counsel is recorded.

4. These writ petitions are allowed, accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-

Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar

To

The Managing Director,
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
Kumbakonam.

+ 1 CC TO Mr.S.ARUNACHALAM, ADVOCATE IN SR No. 52283

GK

TE/JC/SAR-4 : 16/03/2018 : 2P/3C

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