



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2018

CORAM:

WEB COPY

THE HONOURABLE Mr. JUSTICE S. VAIDYANATHAN

W.P. (MD) Nos. 21059 & 21060 of 2018

W.P. (MD) No. 21059 of 2018:

R. Singaram

... Petitioner

Vs.

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

2. The General Manager,
State Transport Corporation,
(Kumbakonam) Ltd.,
Pudukkottai Region,
Pudukkottai.

3. The Administrator,
State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 2.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to revise the petitioner's pay as per Settlement under Section 12(3) of the ID Act, dated 04.01.2018 with retrospective effect from 01.09.2016 and consequently directing the respondents to revise and refix his retirement benefits and to disburse difference amounts in his salary for the period from 01.09.2016 to 31.05.2017 and difference amounts in monthly pension, commuted value of pension, gratuity, earned leave salary to him with interest at the rate of 18% per annum payable from 01.09.2016 to till the date on which the actual payment is made within the time that may be stipulated by this Court.

W.P. (MD) No. 21060 of 2018

<https://heservices.ecourts.gov.in/heservices/>

M. Abdul Wahith

... Petitioner

**Vs.**

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

2. The General Manager,
State Transport Corporation,
(Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

3. The Administrator,
State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 2.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to revise the petitioner's pay as per Settlement under Section 12(3) of the ID Act, dated 04.01.2018 with retrospective effect from 01.09.2016 and consequently directing the respondents to revise and re-fix his retirement benefits and to disburse difference amounts in his monthly pension, commuted value of pension, gratuity, earned leave salary to him with interest at the rate of 18% per annum payable from 01.09.2016 to till the date of actual payment within the time limit that may be fixed by this Court.

For Petitioners	: Mr.A.Rahul
(in both WPs.)	
For Respondents	: Mr.D.Sivaraman
(R1&R2)	Standing Counsel
(in both WPs.)	
For Respondent-3	: Mr.A.P.Muthupandian
(in both Wps.)	

COMMON ORDER

The petitioners have come forward with the present Writ Petitions for issuance of a Writ of Mandamus, directing the respondents to revise the petitioners' pay, as per Settlement under Section 12(3) of the I.D Act, dated 04.01.2018 with retrospective effect from 01.09.2016 and consequently, directing the respondents to revise and re-fix their retirement benefits and to disburse difference amounts with interest at the rate of 18% per annum payable from 01.09.2016 to till the date on which the actual payment is made.



2. Mr.D.Sivaraman, the learned Standing Counsel takes notice for the respondents 1 & 2. Mr.A.P.Muthupandian, the learned Standing Counsel takes notice for R3.

3. The learned counsel appearing for the petitioners submitted that it would suffice if the representations of the petitioner, dated 31.08.2018 & 21.07.2018 respectively, are disposed of in accordance with law, within a time frame to be fixed by this Court.

4. In view of the limited scope of the prayer, without going into the merits of the matter, the Authority concerned is directed to consider the representations of the petitioners, dated 31.08.2018 & 21.07.2018 respectively, in accordance with law, after affording an opportunity of hearing to the petitioners, pass appropriate orders within a period of two months from the date of receipt of a copy of this order, if there are no legal impediments. If the petitioners are otherwise found eligible, the amount payable to the petitioners may be disbursed.

5. With the above direction, the Writ Petitions stand disposed of. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar (CS-II)

To

1. The Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
Represented by its
Managing Director, Kumbakonam.
2. The General Manager,
State Transport Corporation,
(Kumbakonam) Ltd.,
Pudukkottai Region, Pudukkottai.
3. The Administrator,
State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 2.

+ 2 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 90724 & 90718
+ 2 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 90620 & 90621

MPK

TE/SV/SAR-2 : 28/11/2018 : 3P/8C

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