



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.10.2018

CORAM:

WEB COPY

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.21355 of 2018

T.Somu

... Petitioner

Vs.

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

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

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 in the post of Checking Inspector from the scale of Rs.5200-20200 + 2450/- to the scale of pay of Rs.9300-34800+4300/- with effect from 30.10.2010 in terms of settlement signed under Section 12(3) of the ID Act, dated 04.01.2018 and to direct the respondents to pay him the difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

For Petitioner

: Mr.A.Rahul

For Respondents

: Mr.D.Sivaraman

(P1&P2)

Standing Counsel

For Respondent-3

: Mr.A.P.Muthupandian

**ORDER**

The petitioner has come forward with the present Writ Petition for issuance of a Writ of Mandamus, directing the respondents to revise the petitioner's pay in the post of Checking Inspector from the scale of Rs.5200-20200 + 2450/- to the scale of pay of Rs.9300-34800+4300/- with effect from 30.10.2010 in terms of settlement signed under Section 12(3) of the ID Act, dated 04.01.2018 and to direct the respondents to pay him the difference in gratuity, commuted value of pension, monthly pension, earned leave salary and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement to till the date on which the actual payment is made within the time that may be stipulated by this Court.

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 petitioner submitted that it would suffice if the representations of the petitioner, dated 08.09.2018 is 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 representation of the petitioner, dated 08.09.2018, in accordance with law, after affording an opportunity of hearing to the petitioner, 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 petitioner is otherwise found eligible, the amount payable to the petitioner may be disbursed.

5.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

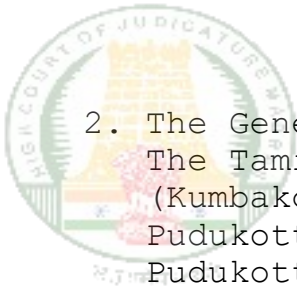
Assistant Registrar (T&P)

/True Copy/

Sub Assistant Registrar (CS-II)

To

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



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

WEB COPY

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

+ 1 CC TO Mr.A.RAHUL, ADVOCATE IN SR No. 90717
+ 1 CC TO Mr.D.SIVARAMAN, ADVOCATE IN SR No. 90618

MPK

TE/RSK/SAR-2 : 29/11/2018 : 3P/6C

W.P. (MD) No.21355 of 2018
12.10.2018