



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.08.2018

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WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.18652 of 2018

A.Sankaran

... 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,
Kumbakonam Region,
Kumbakonam.

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

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus directing the respondents to revise the petitioner's scale of pay in the post of Senior Grade Checking Inspector from the scale of pay of Rs.5200-20200+2400/- to the scale of pay of Rs.9300-34800+4300/- with effect from 01.08.2013 and consequently direct the respondents to pay difference in salary from 01.08.2013 to 28.02.2014 and difference amounts in the terminal benefits payable to him 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 12th and 13th wage settlements dated 13.04.2015 and 04.01.2018 together with interest at 18% per annum payable from the date of his retirement to till the date on which the above monetary benefits are settled to the petitioner.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

Standing counsel for TNSTC



O R D E R

The Writ Petition has been filed for a direction to the respondents to revise the petitioner's scale of pay in the post of Senior Grade Checking Inspector from the scale of pay of Rs.5200-20200+2400/- to the scale of pay of Rs.9300-34800+4300/- with effect from 01.08.2013 and consequently direct the respondents to pay difference in salary from 01.08.2013 to 28.02.2014 and difference amounts in the terminal benefits payable to him 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 12th and 13th wage settlements dated 13.04.2015 and 04.01.2018 together with interest at 18% per annum payable from the date of his retirement to till the date on which the above monetary benefits are settled to the petitioner.

2. Mr.D.Sivaraman, learned Standing counsel takes notice for the respondents. By consent of both parties, the Writ Petition itself is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the Petitioner retired as Senior Grade Checking Inspector from the respondents Corporation on 28.02.2014. Since his retirement benefits have not been disbursed to him, he has submitted a representation on 22.06.2018, in this regard and since the said representation did not evoke any response, the petitioner is before this Court with the relief stated supra.

4. The learned Standing counsel appearing for the respondents would submit that it is agreeable for the respondents to consider the representation of the petitioner and pass orders thereon.

5. In view of the submission made, this Court, without going into the merits of the matter, directs the respondents to consider the representation of the petitioner, dated 22.06.2018 and to pass orders in accordance with law, in the light of G.O.Ms.No.61, Transport (C) Department, dated 30.4.2015, if applicable, in respect of payment of revised pensionary benefits within a period of two months from the date of receipt of a copy of this order, if the petitioner is found eligible for the same.

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

Sd/

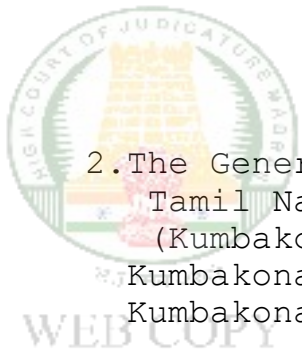
Assistant Registrar(Records)

/True copy/

Sub Assistant Registrar(CS-IV)

To

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



2.The General Manager,
Tamil Nadu State Transport Corporation
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Kumbakonam Region,
Kumbakonam.

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

+1cc to Mr.A.RAHUL, Advocate, SR.No. 80605

+1cc to Mr.D.Sivaraman, Advocate, SR.No.81108

W.P. (MD) No.18652 of 2018
28.08.2018

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KK/RSK/SAR-4/14.11.2018/3P-6C