



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.08.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.18835 of 2018

M.Jose Ebinesar

... Petitioner

Vs.

1.The Management of
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region,
Rep.by its, General Manager,
Trichy.

2.The Administrator,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to pay the petitioner difference / arrears of wages for the period from 01.09.2016 to 30.06.2017 after revising his scale of pay w.e.f. 01.09.2016 based on the new wage settlement dated 04.01.2018 and also to pay him difference in his terminal benefits namely Gratuity, Encashment of Leave based on such re-fixed scale of pay payable to him on the month of his retirement, together with 18% interest per annum and further directing the respondents to revise his pension with effect from July, 2017 based on such re-fixed scale of pay payable to him on the month of his retirement and to pay him arrears of the same for the period from July, 2017, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.D.Sivaraman
Standing Counsel

O R D E R

The petitioner has come forward with the present Writ Petition for issuance of a Writ of Mandamus, directing the 1st respondent to pay the petitioner difference / arrears of wages for the period from



01.09.2016 to 30.06.2017 after revising his scale of pay w.e.f. 01.09.2016 based on the new wage settlement dated 04.01.2018 and also to pay him difference in his terminal benefits namely Gratuity, Encashment of Leave based on such re-fixed scale of pay payable to him on the month of his retirement, together with 18% interest per annum and further directing the respondents to revise his pension with effect from July, 2017 based on such re-fixed scale of pay payable to him on the month of his retirement and to pay him arrears of the same for the period from July, 2017, together with 18% interest per annum, within a time frame as may be fixed by this Court.

2. Mr.D.Sivaraman, the learned Standing Counsel takes notice for the respondents.

3. The learned counsel appearing for the petitioner submitted that it would suffice if the representation of the petitioner dated 27.07.2018 is disposed of on merits and 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 27.07.2018, 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.

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

SD
ASSISTANT REGISTRAR (PROTOCOL)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS II)

mpk

To

1. The General Manager, The Management of
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region, Trichy.

2. The Administrator,
Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Thiruvalluvar Illam, Anna Salai, Chennai - 2.

1CC TO MR. S. ARUNACHALAM, ADVOCATE SR 81423

1CC TO MR. D. SIVASRAMAN, ADVOCATE SR 81166