



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 12.10.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.21357 of 2018

WEB COPY

S.Ramadoss

... Petitioner

Vs.

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

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

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the difference in gratuity and leave salary based on VI Pay Commission Recommendations in terms of G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009 and G.O.Ms.No.63, Transport (D) Department, dated 05.02.2010 together with interest at the rate of 18% per annum from the date of the retirement of the petitioner to till the date of payment within the time frame that may be fixed by this Court.

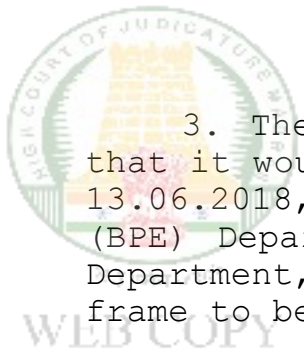
For Petitioner
For Respondents

: Mr.A.Rahul
: Mr.D.Sivaraman
Standing Counsel

ORDER

The petitioner has come forward with the present Writ Petition for issuance of a Writ of Mandamus, directing the respondents to pay the difference in gratuity and leave salary based on VI Pay Commission Recommendations in terms of G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009 and G.O.Ms.No.63, Transport (D) Department, dated 05.02.2010 together with interest at the rate of 18% per annum from the date of the retirement of the petitioner to till the date of payment within the time frame that 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 13.06.2018, is disposed of, in terms of G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009 and G.O.Ms.No.63, Transport (D) Department, dated 05.02.2010, 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 13.06.2018, in terms of G.O.Ms.No.250, Finance (BPE) Department, dated 17.06.2009 and G.O.Ms.No.63, Transport (D) Department, dated 05.02.2010, if the said Government Orders are applicable to the case of the petitioner, 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 eligible amount payable to the petitioner may be disbursed.

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

Sd/-
Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Managing Director,
The Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.
Thanjavur District.

+1 CC to Mr.A.Rahul, Advocate, SR.No.90723
+1 CC to Mr.D.Sivaraman, Advocate, SR.No.90616

mpk
SS/SKN/SAR 3/03.12.2018/2P/5C