

HON' BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No. 17475 of 2004

ORDER:

The present writ petition is filed seeking *Mandamus* declaring the action of the respondents in not paying the difference of terminal benefits amount to a tune of Rs.1,39,136.50 ps. to the petitioner in pursuance of the amended regulations 6-A 5(b) of APSRTC Employees (Service) Regulations, 1964 and notification No.P.D.14/ 2003, dated 08.10.2003 as illegal and arbitrary and consequently, to direct the respondents to pay the difference of terminal benefits to the petitioner.

2. Heard Sri G.Ravi Mohan, learned counsel for the petitioner and Sri A.Ravi Babu, learned Standing Counsel for Telangana State Road Transport Corporation, appearing for respondents.

3. The petitioner was appointed on 02.06.1975 in the respondents-corporation as a Cleaner and on 05.11.2003 he retired from service on medical grounds. The grievance of the petitioner is that the respondents-Corporation paid an amount of Rs.1,34,000/- towards terminal benefits, though he is entitled to additional monitory benefit to a tune of Rs.2,73,136.50 ps. in view of the amended regulations of the Corporation and notification dated 08.10.2003.

4. Learned counsel for petitioner contended that since the petitioner worked as Driver and retired from service on medical grounds as per the amended Regulation 6A 5(b) of the APSRTC Employees (Service) Regulations 1964 and pursuant to the Board Resolution dated 08.10.2003,

the petitioner is entitled for the benefits under medically unfit drivers. Therefore, prayed this court to grant the additional monitory benefits to the petitioner according to law.

5. The learned Standing Counsel for respondents-Corporation contended that the additional monitory benefits were already paid to the petitioner. In spite of granting time, the details of the said payments were not submitted to the court.

6. Perused the material available on record and Regulation 6A 5(b) of the APSRTC Employees (Service) Regulations 1964 coupled with Board Resolution dated 08.10.2003.

7. In the instant case, the petitioner retired from service on medical grounds as a Driver and the above said rule position is applicable to him and he is entitled for additional monitory benefit. Hence, this court is of the opinion that to meet the ends of justice, the respondents-Corporation is directed to pay the additional monitory benefits as per Regulations of the Corporation, if not already paid to him, within a period of four months from the date of receipt of a copy of the order.

8. With the above observations, the writ petition is disposed of. No costs.

9. Miscellaneous Petitions, if any, pending in this writ Petition shall stand closed.

ABHINAND KUMAR SHAVILI, J

10th September, 2018
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