

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE V. PARTHIBAN

Writ Petition No.15170 of 2019

Transport Corporation Retired Officers

Welfare Association, Kovai

Reg.No.269/2011

Rep by its Secretary

B-25, Cheran Colony, Thudiyalur Post

Coimbatore-641 034

Petitioner

Vs

1. The Additional Chief Secretary to Government

Transport Department

Secretariat

Fort St. George

Chennai - 600 009

2. The Managing Director

Tamil Nadu State Transport Corporation (Coimbatore)

Ltd

37, Mettupalayam Road

Coimbatore - 641 043.

Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus or any other appropriate writ or order or direction directing the respondents herein to consider the representation dated 08.12.2018 made by the Petitioner Association to the respondent and pay the surrender leave salary difference, arrears amount to its members, who retired during the period 2006 to 2009 and whose names have been given in the list enclosed along with the representation, based on the 6th Pay Commission implementation.

For Petitioner : Mr.S.Balasubramanian

For Respondents: Mr.P.Kannan Kumar

(Senior Counsel)

O R D E R

The Writ Petitioner is the Transport Corporation Retired Officers Welfare Association, having its Registered No.269/2011, represented by its Secretary, B-25, Cheran Colony, Thudiyalur Post, Coimbatore - 641 034.

2. According to the Writ Petitioner, their members are eligible for surrender leave salary difference, arrears amount of revised pension during the period from 2006 to 2009 and the same has not been disbursed. Moreover, similar claims have been entertained and allowed by the Division Bench of this Court in W.A. (MD) No.81 of 2018 to 84 of 2018 dated 25.01.2018, in which, a direction was given to the respondents for settlement of the arrears amount, salary difference to those who are having eligibility. Even after several representations made by the Petitioners' Association, especially the representation made on 08.12.2018, the respondents have not taken any steps. Hence, the petitioners' Association has come up with this Writ Petition before this Court to issue a Writ of Mandamus.

3. This Court has ordered notice to the respondents. Mr.P.Kannan Kumar, learned Senior Counsel has entered appearance on behalf of the respondents. The learned Counsel appearing for the Corporation submitted that he would have no objection, if the respondent-Corporation is directed to dispose of the representation, within the time stipulated by this Court.

4. In view of the limited prayer and the submissions made by the Counsels, the Writ Petition is disposed of with a direction to the respondents to consider and pass appropriate orders on the representation said to have been made by the petitioner dated 08.12.2018, on merits and in accordance with law, within a period of four weeks from the date of receipt of copy of this order. While considering the claim of the petitioner, the respondents shall also take into consideration the directions issued by the Division Bench of this Court, in the aforementioned Writ Appeals.

5. With the above directions, the Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vrn/sni

To

1. The Additional Chief Secretary to Government
Transport Department
Secretariat
Fort St. George
Chennai - 600 009

2. The Managing Director
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd
37, Mettupalayam Road
Coimbatore - 641 043.

+1cc to Mr.S.Balasubramanian , Advocate SR.No.46685

+1cc to Mr.P.Kannan Kumar Advocate SR.No.48290,

+1 cc to Government Pleader Sr.No. 48085

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