

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.01.2019

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.33465 of 2018
and W.M.P.No.38836 of 2018

1.L.Ponnuvel
2.E.A.Somasundaram
3.V.Sanjivi
4.K.Badrusami Petitioners

Vs

The Managing Director
Tamil Nadu State Transport Corporation
(CBE) Limited, 37, Mettupalayam Road
Coimbatore - 641 043. Respondents

For Petitioners : M/s.S.Balasubramanian

For Respondents : Mr.R.S.Selvam, Government Advocate

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondent herein to consider the representation and pay the petitioners' the difference in Gratuity as well as leave salary including medical leave from 01.09.2010 by taking note of G.O.Ms.No.61 Transport (C) Department dated 30.04.2015 as per their representation made to the respondent on 26.10.2018.

सत्यमेव जयते
O R D E R

The petitioners were employees of the respondent corporation and on account of superannuation, they have retired from the service of the Corporation on 30.04.2013, 31.07.2011, 31.01.2012 and 31.03.2014, respectively. However, their terminal benefits viz, Gratuity, leave salary including medical leave have not been paid fully. It is the claim of the petitioners that they are entitled to the benefit of G.O.Ms.No.61 by which the scale of pay for checking inspectors has been revised with effect from 01.09.2010, but the benefit of the said Government Order has not been given effect to the petitioners. Hence, the petitioners gave a representation dated 26.10.2018, requesting the respondent corporation to extend the benefit of G.O.No.61 and

settle their terminal benefits. As the said representation has not been considered, the petitioners have filed the present writ petition.

2. Mr.R.S.Selvam, learned Government Advocate takes notice on behalf of the respondents and submits that the representation would be considered in accordance with law and on merits.

3. Considering the contentions raised on both sides, the respondent corporation is directed to consider the representation of the petitioners dated 26.10.2018, in terms of G.O.Ms.No.61 dated 30.04.2015, and pass appropriate orders, within a period of four weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS-III)

//True copy//

Sub Assistant Registrar

kst

To

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

+1cc to M/s.R.S.Selvam, Advocate SR.No.578

+4ccs to M/s.Balasubramanian Advocate SR.No.7

W.P.No.33465 of 2018

VSN II(CO)
GMY(07/02/2019)

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