

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2019

CORAM:

THE HONOURABLE DR.JUSTICE S.VIMALA

WP.No.34560 of 2018

R.Gopal

Petitioner

Vs

1.The Managing Director, Tamil Nadu State
Transport Corporation (Coimbatore) Limited,
Coimbatore

2.The Assistant Manager, Erode Head Office
Provident Fund Ltd Section
Tamil Nadu State Transport Corporation Limited
Erode -301

Respondents

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the 1st Respondent to consider the representation of the Petitioner, dated 11.09.2018, regarding the payment arrears in Gratuity, Pension and Grade Pay.

For Petitioner : Mr.S.Balasubramanian

For Respondents : Mr.R.S.Selvam, GA

ORDER

By consent of the learned counsel on either side, this Writ Petition is taken up for final disposal, at the admission stage itself. Mr.R.S.Selvam, learned Government Advocate takes notice for the Respondents.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The prayer in this Writ Petition is to direct the 1st Respondent to consider the representation of the Petitioner, dated 11.09.2018, regarding the payment arrears in Gratuity, Pension and Grade Pay.

4.The case of the Petitioner is that he was an employee of the representation Corporation and he had retired on attaining superannuation. But, the terminal benefits have not

been paid fully to him. The Petitioner is entitled to the benefit of GO.Ms.No.61, dated 30.04.2015, by which, the scale of pay for checking inspectors had been revised, with effect from 1.9.2010. Since the benefit under the said GO had not been given, the Petitioner had sent a representation, dated 11.09.2018, requesting the Respondent Corporation to pay the arrears of the retirement benefits. Since the said representation is not considered so far, this Writ Petition has been filed, seeking the relief as stated above.

5. Having regard to the facts and circumstances of the case and considering the limited scope of the prayer, as sought for in this Writ Petition, without going into the merits of the case, the 1st Respondent is directed to consider the representation of the Petitioner, dated 11.09.2018 and pass appropriate orders, in the light of the GO.Ms.No.61, dated 30.4.2015 and on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

Srcm

To

1.The Managing Director, Tamil Nadu State
Transport Corporation (Coimbatore) Limited,
Coimbatore

2.The Assistant Manager, Erode Head Office
Provident Fund Ltd Section
Tamil Nadu State Transport Corporation Limited
Erode -301

+1cc to Mr.S.Balasubramanian, Advocate SR.No.1324

+1cc to Mr.R.S.Selvam, Advocate SR.No.1566

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KJI (CO)
GMY (06/02/2019)