



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : **11.06.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

WEB COPY

W.P (MD) No.13090 of 2019

A. Krishnan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation Kumbakonam Ltd.,
TNSTC Head Office,
No.27, Railway Station New Road,
Kumbakonam - 612 001.

2.The General Manager,
Tamil Nadu State Transport Corporation Kumbakonam Ltd.,
Karaikudi Region,
Maruthupathi,
Managiri,
Karaikudi.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 02.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to revise the petitioner's pay as per the statement under Section 12(3) of the ID Act, 04.01.2018 with retrospective effect from 01.09.2016 and consequently, directing the respondents to revise and re-fix the retirement benefits and to disburse difference amounts in monthly pension, commuted value of pension, gratuity, earned leave salary to the petitioner with interest at the rate of 18% per annum payable from 01.09.2016 to till date of actual payment to be made by the respondents, within a stipulated time to be fixed by this Court.

For Petitioner : Mr. J. Jeyakumaran

For Respondent : Mr. P. Balasubramanian
Standing Counsel

**ORDER**

This writ petition is filed seeking to direct the respondents to revise the petitioner's pay as per the statement under Section 12(3) of the ID Act, 04.01.2018 with retrospective effect from 01.09.2016 and consequently, direct the respondents to revise and re-fix the retirement benefits and to disburse difference amounts in monthly pension, commuted value of pension, gratuity, earned leave salary to the petitioner, with interest at the rate of 18% per annum payable from 01.09.2016 to till date of actual payment to be made by the respondents, within the time limit to be fixed by this Court.

2. Mr. P. Balasubramanian, learned Standing Counsel takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. Though this petition has been filed for the larger relief, the learned counsel appearing for the petitioner submits that the petitioner will be satisfied, if a direction is issued to the respondents, to consider the representation of the petitioner, dated 25.07.2018.

4. The learned Standing Counsel appearing for the respondents fairly submitted that the respondents would consider the representation of the petitioner and pass appropriate orders, on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Having regard to the scope of the prayer made by the petitioner and considering the submissions made on either side, this Court, without expressing any opinion on the merits of the petitioner's case, directs the first respondent to consider the representation of the petitioner, dated 25.07.2018 on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)



trp

To

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Thiruvalluvar Illam,
Pallavan Salai,
Chennai - 02.

+1CC TO M/S.P.BALASUBRAMANIAN,ADVOCATE, SR.NO.67937

+1CC TO M/S.J.JEYA KUMARAN,ADVOCATE, SR.NO.67871

W.P (MD) No.13090 of 2019

BUC (03/07/2019) 3P/6C