



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P. (MD) No.1463 of 2019

A.Perumal

... Petitioner

Vs.

1.The Government of Tamil Nadu,
represented by its Secretary to Government,
Transport Department, Secretariat,
Chennai - 600 009.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Periyamilaguparai, Trichy.

3.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

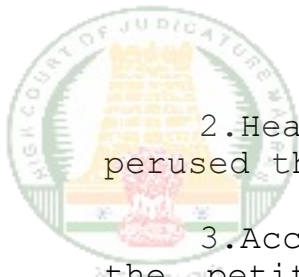
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondents to settle the remaining 8% of the Dearness Allowance (DA) as per G.O.No.145, dated 02.05.2013 for the retrial benefits, ie., payment of gratuity -Rs.4,27,337/-, earned leave -Rs.2,13,936/-, medical leave -Rs.32,982/- and commutation of pension -Rs.2,40,382/- and all other retrial benefits payable to the petitioner with 18% rate of interest within the time frame that may be stipulated by this Court.

For Petitioner	: Mr.N.Sudhagar Nagaraj
For R1	: Mr.V.Anand
	Government Advocate
For R2	: Mr.D.Sivaraman
For R3	: Mr.A.P.Muthupandian

ORDER

Seeking for a direction to the respondents to settle the remaining 8% of the Dearness Allowance as per G.O.No.145, dated 02.05.2013, Finance (Allowance) Department and to settle the retirement benefits to the petitioner with interest, the present writ petition has been filed.



2. Heard the learned Counsel appearing on both sides and perused the materials available on record.

3. According to the learned Counsel for the petitioner, though the petitioner worked as Technical Level-V in the respondent department and retired from service on 30.06.2013 itself, he was not granted any retirement benefits. Hence, he approached the respondents by way of representation, dated 05.09.2018 claiming to settle the same. Since there is no fruitful result on his representation, the petitioner is before this Court.

4. The learned Government Advocate and the learned standing Counsel appearing for the respective respondents, on instructions, submitted that the representation of the petitioner would be considered on merits within the time stipulated by this Court.

5. Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 05.09.2018, and pass appropriate orders, on merits and in accordance with law, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

Sub Assistant Registrar (CS)

cmr

To

1. The Government of Tamil Nadu,
represented by its Secretary to Government,
Transport Department, Secretariat,
Chennai - 600 009.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Periyamilaguparai, Trichy.



3.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

+1CC TO MR.D.SIVARAMAN, Advocate Sr. No.54461

+1CC TO MR.N.SUDHAGAR NAGARAJ, Advocate Sr. No. 54427

ORDER MADE IN
W.P. (MD) No.1463 of 2019
15.03.2019

TR (16.04.2019) 3P 6C