



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED :14.03.2019
CORAM:
THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WEB COPY

WP (MD) No.5977 of 2019

R.Alagarsamy

... Petitioner

Vs.

- 1.The Managing Director,
State Express Transport Corporation (TN) Ltd,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai - 2.
- 2.The Financial Advisor,
Tamil Nadu State Transport Corporation
(State Express Transport Corporation (TN) Ltd,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai - 2.
- 3.The District Administrator,
TNSTC Employees Pension Trust,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents

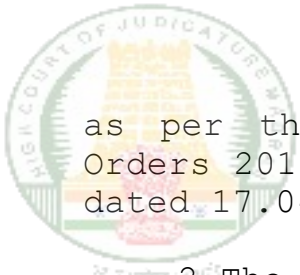
PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to revise the pension benefits and pension arrears, etc with effect from 01.03.2014 and payment of the monetary benefit with effect from 01.10.2017 to till the date of payment at the rate of 12% Per Annum payable for the said monetary benefits as per the VII th Pay Commission Tamilnadu Government Pension Orders 2017 before retired 2016 on the base of 194th Board meeting dated 17.04.2018 passed a resolution in Resolution No.7/2018-19, as per the Go.Ms.No.134, Trnspoet(D)Department dated 09.04.2018.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Sathya singh

ORDER

This writ petition has been filed seeking to direct the respondents to revise the pension benefits and pension arrears, etc with effect from 01.03.2014 and payment of the monetary benefit with effect from 01.10.2017 to till the date of payment at the rate of 12% Per Annum payable for the said monetary benefits



as per the VII th Pay Commission Tamilnadu Government Pension Orders 2017 before retired 2016 on the base of 194th Board meeting dated 17.04.2018 passed a resolution in Resolution No.7/2018-19.

2.The learned Counsel for the petitioner submitted that the issue involved in this writ petition has already been settled by this Court in WP No.21025 of 2018, dated 23.10.2018 and prayed for the similar relief in this writ petition also and the relevant portion whereof reads thus:

"Admittedly, the benefits of 7th pay Commission is not applicable to the workmen category and they are governed by Settlement and Award. In case, the benefits of 7th pay Commission had already been granted to the in- service candidates (Workmen Category), as stated by the petitioner, the same benefits shall be extended to the others. In my view, as the petitioner is coming under managerial category, the benefits of 7th pay Commission has got to be extended to the petitioner taking into account any cut-off date for granting the benefits. In case, the petitioner comes within the cut-off date, within a period of two months from the date of receipt of a copy of this order. The arrears shall be paid to the petitioner together with interest at 6% per annum."

3.The learned Standing Counsel appearing for the respondents has no serious objection to the above submission.

4. In view of the above, the writ petition is disposed of on the same lines as observed in W.P.No.21025 of 2018 dated 23.10.2018. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Managing Director,
State Express Transport Corporation (TN) Ltd,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai - 2.



2.The Financial Advisor,
Tamil Nadu State Transport Corporation
(State Express Transport Corporation (TN) Ltd,
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3.The District Administrator,
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+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-53898[F] dated 14/03/2019)

+1 CC to M/s.K.GOKUL, Advocate (SR-54121[F] dated 14/03/2019)

DSK

ORDER MADE IN
WP (MD) No.5977 of 2019
14.03.2019

KM/(07.06.2019) 3P 6C