

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 04.04.2019

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**THE HONOURABLE MR.JUSTICE R.MAHADEVAN****W.P(MD)No.8128 of 2019**

S.Pauldhass

... Petitioner

Vs.

1.The Additional Chief Secretary,  
Chairman of All Tamil Nadu State Transport Corporations,  
Transport Department,  
Fort St. George, Chennai - 9.

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

3.The Administrator,  
TNSTC Employees Pension Trust,  
Thiruvalluvar House,  
No.2, Pallavan Salai,  
Chennai - 600 002.

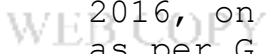
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to revise the pension benefits and pension arrears etc with effect from 01.01.2016 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 7<sup>th</sup> Pay Commission Tamil Nadu Government Pension Orders, 2017 before retired 2016 on the base of 194<sup>th</sup> Board meeting dated 17.04.2018 passed a resolution in Resolution NO.7/2018-19, as per G.O.Ms.No.134, Transport (D) Department, dated 09.04.2018.

For Petitioner : Mr.K.Gokul

For R - 1 : Mrs.J.Padmavathy Devi,  
Special Government Pleader.

For RR 2 & 3 : Mr.K.Sathya Singh  
for Standing Counsel for TNSTC



2. Heard the learned counsel appearing for the petitioner; the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

4. The grievance of the petitioner is that subsequent to the revision of pay in terms of G.O.Ms.No.303, Finance (Pay Cell) Department dated 11.10.2017 read with G.O.No.134 Transport (D) Department dated 09.04.2018, the petitioner has not been paid with the revised pensionary benefits. Hence, he made a representation dated 13.08.2018 to the respondents. Since no orders have been passed thereon, this writ petition has been filed.

"9. In W.P(MD) No.21025 of 2018 dated 23.10.2018, it has been held as under:

<https://hcservices.ecounts.gov/in/hcservices/>



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".

Hence, the learned counsel prayed for a similar relief in this Writ Petition as well.

6.The learned counsel appearing for the respondents has no objection for granting such relief to the petitioner.

7.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side and also following the earlier order of this Court (cited supra), this Writ Petition is disposed of, directing the respondents to consider the case of the petitioner and pass appropriate orders in line with the decision of this Court in W.P (MD)No.21025 of 2018, dated 23.10.2018. Such an exercise shall be completed within a period of two months from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1.The Additional Chief Secretary,  
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Chennai - 2.

3.The Administrator,  
TNSTC Employees Pension Trust,  
Thiruvalluvar House, No.2, Pallavan Salai,  
Chennai - 600 002.

+1CC TO MR.K.GOKUL, Advocate Sr. No.58771

+1CC TO MR.K.SATHIYA SINGH, Advocate Sr. No.59032

**W.P(MD)No.8128 of 2019**  
**04.04.2019**