



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.8646 of 2019

C.Jayaraman

... Petitioner

vs.

1.The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
rep.by its Managing Director,
Kumbakonam.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondents to pay the difference amount in gratuity and terminal leave salary based on VI pay commission recommendations in terms of G.O.Ms.No.250, Finance (BPE) Department dated 17/06/2009 together with interest at the rate of 18% per annum from the date of the petitioner retirement to till the date of payment.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

ORDER

Seeking a direction to the respondents to pay difference in terminal benefits, in terms of G.O.Ms.No.250, Finance (BPE) Department dated 17.06.2009, together with interest at the rate of 18% per annum, the petitioner is before this Court.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents. By consent, the writ petition itself is taken up for final disposal at the stage of admission.



3.The case of the petitioner is that he served as a Superintendent in the first respondent Corporation and retired from service on 30.06.2009. According to the petitioner, as per VI pay commission recommendations, his pay has to be revised. Since the same has not been done, the petitioner made a representation dated 14.08.2018 to the respondents and the same has not been considered till date. Hence, this writ petition has been filed.

4.The learned Standing Counsel appearing for the respondents, on instructions, submitted that the petitioner's representation would be considered on merits and appropriate orders be passed by the respondents.

5.In view of the above submission, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 14.08.2018, seeking difference in terminal benefits, in the light of G.O.Ms.No.250, Finance (BPE) Department dated 17.06.2009 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6.The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (ADI)

// True Copy //

Sub Assistant Registrar (CS)

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam.

2.The General Manager,
The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Kumbakonam Region,
Kumbakonam.



+1 CC to M/s.D.SIVARAMAN, Advocate (SR-60447[F] dated 11/04/2019)

+1 CC to M/s.A.RAHUL, Advocate (SR-60870[F] dated 12/04/2019)

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W.P(MD) No.8646 of 2019
10.04.2019

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