



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2019

CORAM

THE HON'BLE Mr. JUSTICE G.R. SWAMINATHAN**W.P. (MD) No.9315 of 2019**

D.Jamuna

... Petitioner

-vs-

1.The Managing Director,
State Express Transport Corporation,
(TN) Limited, Corporate Office,
No.2, Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

2.The Finance Advisor and Chief Accounts Officer,
State Express Transport Corporation,
(TN) Limited, Corporate Office,
No.2, Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

3.The Administrator,
TNSTC Employees Pension Trust,
SETC (TN) Limited, No.2, Pallavan Salai,
Chennai-600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for 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 VIIth pay Commission Tamil Nadu 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 G.O.Ms.No.134, Transport (D) Department dated 09.04.2018.

For Petitioner : Mr.K.Gokul
For Respondents : Mr.K.Sathiya Singh

O R D E R

Heard the learned counsel on either side.

2. By consent of both parties, the main Writ Petition is taken up for final disposal at the admission stage itself.

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3. The writ petitioner joined the first respondent / Corporation as a Record Clerk in the year 1981. His services were



regularized with effect from 15.08.1985. He retired as Superintendent on 30.04.2014. The petitioner seeks revision of his pensionary benefits in the light of the VII Pay Commission. He would refer to G.O.Ms.No.134, Transport (D) Department, dated 09.04.2018. The petitioner has given a representation to the respondents in this regard dated 10.04.2019.

4. When the matter was taken up for hearing, the learned Standing Counsel appearing for the respondents would submit that the similarly placed retired employees were given benefits which the petitioner is now seeking.

5. The learned counsel appearing for the petitioner produced a copy of the order dated 23.10.2018 made in W.P.(MD).No.21025 of 2018 passed by this Court. The Hon'ble Judge while disposing of the case held that the persons coming in the Managerial category will have to be granted the benefits of the VII Pay Commission. Of course, it has been stated in the said order that the claimant himself come within the cut off date.

6. The learned counsel on either side submitted that the cut off date in this case is 01.10.2017. Since the petitioner retired on 30.04.2014, he is very much coming within the cut off date.

7. Therefore, the first respondent is directed to pass orders on the petitioner's representation dated 10.04.2019 in the light of the order dated 23.10.2018 made in W.P.(MD).No.21025 of 2018. Such an order shall be passed within a period of six weeks from the date of receipt of a copy of this order.

8. The Writ Petition is ordered accordingly. No costs.

Sd/-

Assistant Registrar (CRL SIDE)

// True Copy //

Sub Assistant Registrar()

To

1.The Managing Director,
State Express Transport Corporation,
(TN) Limited, Corporate Office,
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3.The Administrator,
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+1. C.C. To Mr.K.Sathiya Singh Advocate SR.No.61353

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