



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P (MD) No.9927 of 2019

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P.Sahadevan

... Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
New Railway Station Road,
Kumbakonam - 612 001.

2. 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 to issue a Writ of Mandamus, directing the respondents to grant fifth review benefits and 5.5% increase in pay and to effect pay revision and pension revision and pay arrears and pension arrears in terms of 12(3) settlement dated 13.04.2015 and in the light of G.O.Ms.No.61, Transport Department, dated 30.04.2015 and consequently to direct the respondents to pay the difference amount of Petitioner's retirement benefits.

For Petitioner : Mr.C.Thangamani

For Respondents : Mr.D.Sivaraman

ORDER

The Writ Petition is filed seeking a direction to the respondents to grant fifth review benefits and 5.5% increase in pay and to effect pay revision, pension revision, pay arrears and pension arrears in terms of 12(3) settlement dated 13.04.2015 and in the light of G.O.Ms.No.61, Transport Department, dated 30.04.2015 and consequently to direct the respondents to pay the difference amount of the Petitioner's retirement benefits.

2.Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.



3.The petitioner was employed as a Driving Instructor in the first respondent Corporation and he retired from service on 30.04.2015, on reaching the age of superannuation.

4.The grievance of the petitioner is that he is entitled to get the benefits of pay revision as per 12(3) settlement dated 13.04.2015 and also other terminal benefits. Since the revised retirement benefits have not been granted to the petitioner as per the above settlement, he made a representation dated 03.04.2019 to the respondents and the same is pending without consideration. Therefore, the petitioner is before this Court seeking the above said relief.

5.The learned Standing Counsel appearing for the respondents would submit that if a reasonable time is granted to the respondents, the representation of the petitioner will be considered and suitable orders will be passed.

6.In view of the submission made by the learned Standing Counsel appearing for the respondents, the respondents are directed to consider the petitioner's representation dated 03.04.2019 on the basis of 12(3) settlement dated 13.04.2015 and in the light of G.O.Ms.No.61, Transport Department, dated 30.04.2015 and also in the light of any other subsequent settlement and thereafter, pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after giving an opportunity of hearing to the petitioner.

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

sd/
Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
New Railway Station Road,
Kumbakonam - 612 001.
2. The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.



+1 CC to M/S.D.SIVARAMAN, Advocate (SR-62514[F] dated 25/04/2019)
+1 CC to M/S.C.THANGAMANI, Advocate (SR-63044[F] dated 26/04/2019)

W.P(MD)No.9927 of 2019
25.04.2019

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