



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.22820 of 2018

D.Gopal

... Petitioner

vs.

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

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of mandamus directing the respondent to pay the petitioner Rs.2,90,938/- and Rs.70,133/- as towards balance of gratuity and encashment of earned leaves respectively after revising the same based on the scale of pay payable to him on the month of his retirement i.e. June, 2008 as fixed / revised as per the order of the Government in G.O.Ms.No.250 Finance (BPE) Department dated 17/06/2009.

For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.D.Sivaraman

ORDER

This writ petition has been filed seeking a direction to the respondent to pay the petitioner a sum of Rs.2,90,938/- and Rs.70,133/- towards balance of gratuity and encashment of earned leave respectively, as per G.O.Ms.No.250, Finance (BPE) Department dated 17.06.2009.

2.Heard the learned counsel appearing for the petitioner and the learned Standing Counsel for the respondent.

3.The petitioner was employed as a Deputy Manager in the respondent Corporation. He retired from service on 30.06.2008. His grievance is that as per the recommendation of the 6th pay commission, the petitioner is entitled to the notional benefit of revised pay scale with effect from 01.01.2008. Since his scale of pay was not revised, he made a representation dated 05.06.2018 to the respondent and the same has not been considered so far. Hence, the petitioner is before this Court, seeking the above relief.

4.The learned Standing Counsel for the respondent submitted that the representation of the petitioner would be considered on merits and appropriate orders be passed.



5. In view of the above submission, this Writ Petition is disposed of, directing the respondent to consider the representation of the petitioner dated 05.06.2018, 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 six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner. No costs.

Sd/-

Assistant Registrar (Writs)

// True Copy //

Sub Assistant Registrar (CS)

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To

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

+1CC TO MR.D.SIVARAMAN, Advocate Sr. No. 54047

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TR (24.04.2019) 2P 3C