



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.02.2019

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WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.21006 of 2017

V.K.Ramasamy

... Petitioner

Vs.

The Management of the Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Trichy Region,
Rep. by its General Manager,
Trichy.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondent to pay the petitioner difference/arrears of wages for the period from 01.09.2013 to 31.10.2014 based on the scales of pay as re-fixed and as mentioned in his Service Register and also to pay him difference in his terminal benefits namely Gratuity, Encashment of leave salary etc., after revising the same based on such re-fixed wages payable to him on the month of his retirement, together with 18% interest per annum.

For Petitioner : Mr.S.Arunachalam

For Respondent : Mr.D.Sivaraman

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondent to pay difference of wages to the petitioner, as mentioned in his Service Register and also to pay him difference in his terminal benefits together with interest.

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

3.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Driver in the respondent Corporation on 17.01.1986 and retired from service on attaining the age of superannuation on 31.10.2014. As admitted by the respondent, the wages of the petitioner were re-fixed from 01.05.2013. After revising the same, the respondent has not paid arrears of wages and terminal benefits to the petitioner. Hence, the petitioner made a representation to the respondent on 10.02.2017 in this regard. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.



4.The learned counsel appearing for the respondent submitted that the representation of the petitioner will be considered on merits.

5.In such view of the matter, this Court, without going into the merits of the petitioner's claim, directs the respondent to consider the representation of the petitioner, dated 10.02.2017 seeking difference of wages along with terminal benefits and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (RTI)

// True Copy //

Sub Assistant Registrar()

To

The General Manager,
Management of the Tamil Nadu State Transport
Corporation (Kumbakonam) Limited,
Trichy Region,
Trichy.

+1 CC to M/s.S.ARUNACHALAM, Advocate(SR-**50853**[F] dated 01/03/2019)

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-**50836**[F] dated 01/03/2019)

W.P(MD)No.21006 of 2017
28.02.2019

KK/SAR- /04.04.2019/2P/4C/