



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **10.04.2019**

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP(MD)No.1149 of 2016 and
WMP(MD) .No.956 of 2016

K. Senthilkumaran

... Petitioner

Vs.

1. The Managing Director,
The Tamil Nadu State Transport Corporation,
Madurai Division,
Bye Pass Road,
Madurai - 10.

2.The Assistant Manager (Administration),
Tamil Nadu State Transport Corporation,
Virudhunagar,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records relating to the impugned proceedings of the 2nd respondent in TNSTC/Virudu/Pa.C.Thu/E5/ 221/2011 dated 29.04.2011 and quash the same as illegal and consequently, direct the 2nd respondent to pay the 3rd review benefit and the arrears of the 2nd review benefit to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.C. Marees kumar

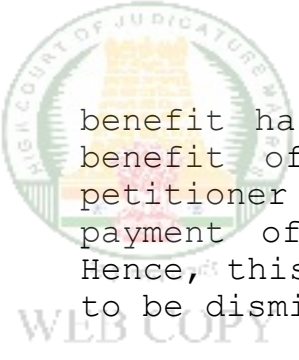
For Respondents : Mr. A.P. Muthupandian

ORDER

This Writ Petition has been filed to quash the impugned proceedings of the 2nd respondent, dated 29.04.2011 and consequently, direct the 2nd respondent to pay the 3rd review benefit and the arrears of the 2nd review benefit to the petitioner, within the time stipulated by this Court.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. On a perusal of the counter affidavit filed by the respondents, it is seen that subsequent to the filing of the Writ Petition, the 2nd review benefit due to the petitioner was given with effect from 01.05.2008 and the arrears of salary for the 2nd review



benefit has also been paid. It is also seen that the 3rd review benefit of the petitioner was only due on 01.05.2015. As the petitioner retired from service on 30.09.2013, the question of payment of 3rd review benefit does not arise for consideration. Hence, this Court is of the view that this Writ Petition is deserves to be dismissed.

4. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Managing Director,
The Tamil Nadu State Transport Corporation,
Madurai Division,
Bye Pass Road,
Madurai - 10.

2.The Assistant Manager (Administration),
Tamil Nadu State Transport Corporation,
Virudhunagar,
Virudhunagar District.

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KK/SAR/14.05.2019/ 2P- 3C