



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2019

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P(MD)No.23263 of 2017

A.Ambujam

... Petitioner

Vs.

1.State Express Transport Corporation Limited,
Rep. by its Managing Director,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

2.The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents to promote the petitioner as Junior Engineer - notionally with continuity of service on par with the co-employees, who were promoted as Junior Engineer with continuity of service and also directing the respondents to pay the salary arrears from the date of his promotion as Junior Engineer ie. 03.06.1987 and to pay the revised pension with arrears and also to pay difference in terminal benefits such as Gratuity, commuted value of pension and unavailed leave salary together with 18% interest and all other attendant benefits to him within the period stipulated by this Court.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.K.Sathyasingh

ORDER

This writ petition has been filed, seeking a direction to the respondents to promote the petitioner as Junior Engineer - notionally with continuity of service on par with the co-employees, who were promoted as Junior Engineer with continuity of service and also directing the respondents to pay the salary arrears from the date of his promotion as Junior Engineer ie. 03.06.1987 and to pay the revised pension with arrears and also to pay difference in terminal benefits such as Gratuity, commuted value of pension and unavailed leave salary together with 18% interest and all other



attendant benefits to him within the period stipulated by this Court.

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

3. Though the prayer is for a larger relief, the learned counsel appearing for the petitioner confines his prayer to the effect that the representation of the petitioner, dated 01.03.2017 be considered.

4. The learned counsel appearing for the respondents submitted that the representation of the petitioner would 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 respondents to consider the representation of the petitioner, dated 01.03.2017 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of copy of this order.

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

Sd/- Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. State Express Transport Corporation Limited,
The Managing Director,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

2. The Administrator,
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr. A. K. Thangavelu, Advocate in SR.No.56178
+1cc to Mr. K. Sathya singh, Advocate in SR.No.56824

RR/03.05.2019/2P/5C