



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P (MD) No.16187 of 2019

K. Meganathan

... Petitioner

Vs.

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

2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 2

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to revise the petitioner's pay as per the settlement under Section 12(3) of the ID Act dated 04.01.2018, with retrospective effect from 01.09.2016 and consequently, directing the respondents to revise and re-fix his retirement benefits and to disburse difference amounts in his salary for the period from 01.09.2016 to 30.04.2017, difference amounts in monthly pension, commuted value of pension, gratuity and difference amount in earned leave salary to him with interest at 18% per annum payable from 01.09.2016 to till the date of actual payment within the time limit that may be fixed by this Court.

For Petitioner : Mr.A. Rahul

For Respondents : Mr. Balasubramanian

Standing Counsel

**ORDER**

This Writ Petition has been filed for issuing a direction to the respondents to revise the petitioner's pay as per the settlement under Section 12(3) of the ID Act dated 04.01.2018, with retrospective effect from 01.09.2016 and consequently, direct the respondents to revise and re-fix his retirement benefits and to disburse difference amounts in his salary for the period from 01.09.2016 to 30.04.2017, difference amounts in monthly pension, commuted value of pension, gratuity and difference amount in earned leave salary to him with interest at 18% per annum payable from 01.09.2016 to till the date of actual payment within the time frame to be fixed by this Court.

2. Mr. P. Balasubramanian, learned Standing Counsel takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. Though this petition has been filed to give a positive direction to the respondents, the learned counsel appearing for the petitioner restricted the same to the extent of seeking a direction to the respondents to consider the representation of the petitioner, dated 04.05.2019, by settling the eligible amount under Section 12(3) of the ID Act and also the settlement entered between the parties as well as the Government orders, for which, the learned Standing Counsel appearing for the respondents has no serious objection.

4. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, this Court, without expressing any opinion on the merits of the petitioner's case, directs the respondent concerned to consider the representation of the petitioner, dated 04.05.2019, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

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To

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

2.The General Manager,
The Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Nagapattinam Region,
Nagapattinam.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 2.

+1 CC to Mr.P.BALASUBRAMANIAN, Advocate (SR-76695[F] dated
22/07/2019)

W.P (MD) No.16187 of 2019
22.07.2019

trp

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