



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.20392 of 2019

WEB COPY

A.Lakshmanan

... Petitioner

-Vs-

1.The Principal Secretary to Government and
the Chairman of the State of Transport undertakings
Government of Tamil Nadu,
Transport Department
Secretariat, Fort St.George
Chennai 600 009

2.The Managing Director
Tamil Nadu State Transport Corporation
(Kumbakonam)Limited
27, New Railway Station Road
Kumbakonam 612 001

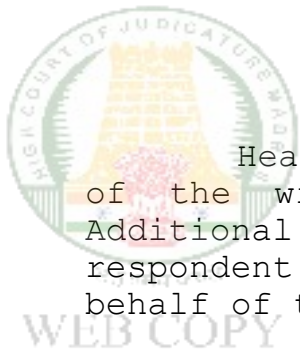
3.The General Manager
Tamil Nadu State Transport Corporation
(Kumbakonam)Limited, Karaikudi Region
Marudhu Pathi, Managiri Post
Karaikudi 630 001

4.The Administrator
Tamil Nadu State Transport Corporation Employees
Pension Fund Trust, Thiruvalluvar House
Pallavan Salai, Chennai 600 002

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant 4th and 5th level review benefits by fixing the scale of pay in the Senior Grade Checking Inspector and consequently to pay pension revision in the light of the judgment dated 25.10.2016 in W.P(MD). No.20466 to 20470 of 2016 and based on the G.O.(Ms).No,61 Transport (C) Department dated 30.04.2015, as per terms of settlement dated 22.01.2011 entered into under Section 12(3) of the Industrial Disputes Act, 1947.

For Petitioner	: Mr.T.Nagasundaram
For Respondent No.1	: Mr.C.M.Mari Chellaiah Prabhu Additional Government Pleader
For Respondent Nos.2 to 4	: Mr.P.Balasubramanian



ORDER

Heard Mr.T.Nagasundaram, learned counsel appearing on behalf of the writ petitioner, Mr.C.M.Mari Chellaiah Prabhu, learned Additional Government Pleader appearing on behalf of the first respondent and Mr.P.Balasubramanian, learned counsel appearing on behalf of the respondents 2 to 4.

2.This Writ Petition has been filed to direct the respondents to grant 4th and 5th level review benefits by fixing the scale of pay in the Senior Grade Checking Inspector and consequently to pay pension revision in the light of the judgment dated 25.10.2016 in W.P(MD).No.20466 to 20470 of 2016 and based on G.O.(Ms).No,61 Transport (C) Department dated 30.04.2015, as per terms of settlement dated 22.01.2011 entered into under Section 12(3) of the Industrial Disputes Act, 1947.

3.According to the petitioner, he was appointed as Daily Wage Conductor. His service was regularized as Senior Conductor, based on his service and subsequently, he was promoted as Checking Inspector with effect from 21.12.1998 and Traffic Inspector with effect from 23.07.2010. He retired from service on 31.05.2011 on attaining the age of superannuation.

4.The learned counsel appearing for the petitioner submitted that the petitioner is entitled to get the benefits given in G.O. (Ms).No.61, dated 30.04.2015, fixing the appropriate higher scale of pay. The petitioner has given representation to the respondents on 19.08.2019. The respondents have not passed any order. Hence, the petitioner has come out with the present writ petition.

5.The learned counsel appearing for the respondents 2 to 4 would submit that the petitioner's representation dated 19.08.2019 will be considered and appropriate orders will be passed, if he is otherwise eligible, within a time frame to be fixed by this Court.

6.Considering the abovesaid submission of the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 2 to 4, the third respondent is directed to consider the representation of the petitioner, dated 19.08.2019 and pass orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (writs)

// True Copy //



To

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the Chairman of the State of Transport undertakings
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+1 CC to Mr.R.SARAVANAN, Advocate (SR-88166[F] dated 20/09/2019)
+1 CC to Mr.P.BALASUBRAMANIAN, Advocate (SR-88625[F] dated
23/09/2019)
+1 CC to spl.GP (SR-88563[F] dated 23/09/2019)

W.P. (MD) No.20392 of 2019
20.09.2019

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