



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.20659 of 2014

R.Ramakrishnan

... Petitioner

-Vs-

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

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Pudukkottai Region, Thirumayam Road,
Pudukkottai.

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 for issuance of Writ of Declaration, declaring the action on the part of the respondents in computing the petitioner's retirement benefits including gratuity, leave salary and commuted value of pension etc., payable to the petitioner by taking into account the dearness allowance payable to the petitioner by taking into account the dearness allowance payable on the petitioner's pay/wages at the rate of 51% instead of 58% as illegal, unjust and arbitrary and consequently, direct the respondents to compute and pay the difference amount in gratuity, leave salary, monthly pension and commuted value of pension payable to the petitioner by taking into account revised rate of dearness allowance I.e., at the rate of 58% of pay + Grade Pay in accordance with G.O.No.273, Finance (Allowances) Department, dated 03.10.2011.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman,
Standing Counsel.



ORDER

The learned Standing Counsel appearing on behalf of the respondents made a submission that the writ petitioner is entitled for revision of dearness allowance as per the revised policy of the Transport Corporation.

2.In view of the fact that the respondents admitted the fact that the writ petitioner is eligible to get revised dearness allowance, the same may be settled in favour of the writ petitioner as per the Government Orders in force.

3.Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar

To

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

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Pudukkottai Region, Thirumayam Road,
Pudukkottai.

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

+1 CC to M/s.A.RAHUL, Advocate (SR-84332[F] dated 29/08/2019)
+1 CC to M/s.D.SIVARAMAN, Advocate (SR-84655[F] dated 30/08/2019)

W.P. (MD) No.20659 of 2014
29.08.2019

Myr

MS/10.09.2019/2P.6C