



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD)No.22638 of 2019

WEB COPY

A.M.Periyasamy

... Petitioner

Vs.

1.The Management of
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Trichy Region,
Rep. by its General Manager,
Trichy.

2.The Administrator,
Tamil Nadu State Transport Employee's
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent to revise the scale of pay of the petitioner w.e.f., 01.09.2016, based on the new wage settlement dated 04.01.2018 and consequently to pay him difference/arrears of wages for the period from 01.09.2016 to 31.01.2017 and also the difference in his terminal benefits namely Gratuity, Encashment of Leave, after revising the same based on such re-fixed scale of pay payable to him on the month of his retirement, together with 18% interest per annum and further directing the respondents to revise his pension with effect from February, 2017 and commuted value of pension, based on such re-fixed scale of pay payable to him on the month of his retirement and to pay him arrears of pension for the period from February, 2017 and also balance of commuted value of pension, together with 18% interest per annum, within a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondents : Mr.P.Balasubramanian

ORDER

The present writ petition is filed to revise the scale of pay of the petitioner with effect from 01.09.2016 based on the new wage settlement dated 04.01.2018 and for a direction to the respondents to pay the difference and arrears of wages for the period from



01.09.2016 to 31.01.2017 and difference of his terminal benefits namely, Gratuity and Encashment of Leave.

2. The learned counsel appearing for the respondents submitted that already revised pay was paid and as per the settlement, the petitioner is entitled to revised scale of pay only from 01.09.2016 and regarding arrears, he is entitled only from 01.09.2017 and the same was calculated and paid.

3. In view of the rival submissions, without deciding the issue on merits, the respondents are directed to consider the representation of the petitioner dated 28.09.2019 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.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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+1 CC to Mr.P.BALASUBRAMANIAN, Advocate (SR-94586[F] dated 25/10/2019)

+1 CC to Mr.S.ARUNACHALAM, Advocate (SR-94767[F] dated 25/10/2019)

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