



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.25012 of 2019

N.Muralidharan

... Petitioner

-Vs-

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

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to pay arrears of wages to the petitioner for the period from 01.07.2018 to 31.08.2018 together with 18% interest pa., after correctly arriving at the monthly wages payable to him by taking note of the enhanced rate of dearness allowance as ordered /fixed for the period from 01.07.2018 to 31.12.2018 in the G.O.Ms.No.313 Finance (Allowances) Department dated 18.09.2018 and also to revise his terminal benefits, namely gratuity, based on such wages payable to him on the month of his retirement ie. August 2018 and accordingly to pay him balance/arrears of gratuity, together with 18% interest per annum with a time frame as may be fixed by this Court.

For Petitioner : Mr.S.Arunachalam
For Respondent : Mr.D.Sivaraman

ORDER

This Writ petition has been filed for a direction to the respondent to pay arrears of wages to the petitioner for the period from 01.07.2018 to 31.08.2018 together with 18% interest pa., after correctly arriving at the monthly wages payable to him by taking note of the enhanced rate of dearness allowance as ordered /fixed for the period from 01.07.2018 to 31.12.2018 in G.O.Ms.No.313 Finance (Allowances) Department, dated 18.09.2018 and also to revise his terminal benefits, namely gratuity, based on such wages payable to him on the month of his retirement ie. August 2018 and accordingly, to pay him balance/arrears of gratuity, together with 18% interest per annum with a time frame as may be fixed by this Court.

<https://hcservices.ecourts.gov.in/Ms/D.Sivaraman>, learned counsel takes notice of the



respondent. By consent of parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner was appointed as Conductor in the Respondent Corporation on 02.12.1992. He retired from service on 31.08.2018 as Selection Grade Conductor on attaining the age of superannuation. The Government vide G.O.Ms.No.313, Finance (Allowances) Department, dated 18.09.2018 enhanced the rate of dearness allowance for the period from 01.07.2018 to 31.12.2018. As per the said Government Order, the petitioner is entitled to revised terminal benefits. In this regard, the petitioner gave a representation dated 30.09.2019 to the respondent Management. But, no action has been taken so far. Hence, the petitioner has come up with the present Writ petition.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondent to consider the representation of the petitioner, dated 30.09.2019, on merits.

5.Considering the nature of relief sought for in the Writ petition, without deciding the issue on merits, the respondent is directed to consider the representation of the petitioner dated 30.09.2019 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.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

Sub Assistant Registrar(CS)

msa

+1 CC to MR.D. SIVARAMAN, Advocate (SR-101671[F] dated 27/11/2019)

W.P. (MD) No.25012 of 2019
26.11.2019

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