



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.11.2020

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.16052 of 2020

C.Bright Wilson

... Petitioner

vs.

1.Tamil Nadu State Transport Corporation Ltd.,
Rep. By its Managing Director,
Thirunelveli Division, V.M.Chatram,
Tuticorin Road, Thirunelveli-11.

2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Nagercoil Region, Nesamani Nagar, Rani Thottam,
Kanyakumari District - 629 001.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to sanction annual increment falls on 01.04.2015, based on the G.O.(Ms)No.140, Finance (Pay Cell) Department dated 25.04.2018 and to pay the difference in Terminal Benefits such as Gratuity, Commutation, Unavailed Leave Salary and also to revise the petitioner's pension with arrears, together with 18% interest from the date of his retirement i.e., 31.03.2015 till the date of payment and all other attendant benefits to him within the stipulated period.

For Petitioner : Mr.A.Rahul
For Respondents : Mr.R.Rajamohan,
Standing Counsel.

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, to direct the respondents to sanction annual increment with effect from 01.04.2015, based on the G.O.(Ms)No.140, Finance (Pay Cell) Department dated 25.04.2018 and to pay the difference in Terminal Benefits such as Gratuity, Commutation, Unavailed Leave Salary and also to revise the petitioner's pension with arrears, together with 18% interest from the date of his retirement i.e., 31.03.2015 till the date of payment and all other attendant benefits to him within the stipulated period.



2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel, who takes notice for the respondents.

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

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4. The case of the petitioner is that he was appointed as Junior Assistant (Trainee) in the first respondent Corporation with effect from 11.07.1983 and further, he was promoted as Superintendent on 29.05.2010 and retired from service on attaining the age of superannuation on 31.03.2015. Seeking terminal benefits, the petitioner sent a representation dated 12.10.2019 to the respondents. Since no action has been taken by the respondents so far, the petitioner is constrained to move the present Writ Petition.

5. The learned Standing Counsel appearing for the respondents submitted that the representation of the petitioner, dated 12.10.2019 would be considered on merits and in accordance with law, within a time frame as fixed by this Court.

6. Considering the nature of the relief as sought for by the petitioner, without going into the merits of the case, the respondents 1 and 3 are directed to consider the representation of the petitioner, dated 12.10.2019, in the light of G.O.(Ms)No.140, Finance (Pay Cell) Department dated 25.04.2018 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

7. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CSIII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

ps/pkn

To

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Thirunelveli Division, V.M.Chatram,
Tuticorin Road, Thirunelveli-11.



2.The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Nagercoil Region, Nesamani Nagar, Rani Thottam,
Kanyakumari District - 629 001.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.

+1 CC to M/s.R. RAJAMOHAN, Advocate (SR-21861[F] dated 11/11/2020)

+1 CC to M/s.A.K.THANGAVELU, Advocate (SR-21978[F] dated 18/11/2020)

W.P (MD) No.16052 of 2020
11.11.2020

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