



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.10.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

W.P(MD)No.18321 of 2021

M.Chandrasekaran

... Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation

(Kumbakonam) Limited,

Rep. by its Managing Director,

Kumbakonam - 612 001.

2.The General Manager,

The Tamil Nadu State Transport Corporation

(Kumbakonam) Limited,

Kumbakonam Region,

Kumbakonam - 612 001.

3.The Chief Financial Officer,

The Tamil Nadu State Transport Corporation

(Kumbakonam) Limited,

Corporate Officer,

Kumbakonam - 612 001.

4.The Administrator,

Tamil Nadu State Transport Corporation

Employees Pension Fund Trust,

Thiruvallur House, Anna Salai,

Chennai - 600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to revise petitioner pay and to pay difference in Earned Leave salary, and arrears of pension from July 2016 to October 2019 together with interest at the rate of 18% per annum and also to pay the interest at the rate of 18% per annum on belated payment of Difference in Commuted Value Pension from July 2016 to October 2019 in terms of 7th pay commission recommendations for revision of pay and as per G.O.Ms.No:134 Transport(D) Department, dated: 09.04.2018 within the time limit that may be fixed by this Court and pass orders.

For Petitioner : Mr.D.Senthilkumaar

For Respondents : Mr.D.Sivaraman,

Standing Counsel for R1 to R3.

Mr.A.Swaminathan,

Standing Counsel for R4.



ORDER

The writ petition has been filed for issuance of a Writ of Mandamus, directing the Respondents to revise petitioner's pay and to pay difference in Earned Leave salary and arrears of pension from July 2016 to October 2019 together with interest at the rate of 18% per annum and also to pay the interest at the rate of 18% per annum on belated payment of Difference in Commuted Value Pension from July 2016 to October 2019 in terms of 7th pay commission recommendations by revising his pay and as per G.O.Ms.No:134 Transport(D) Department, dated: 09.04.2018.

2. According to the petitioner, the petitioner has made a representation to the respondents to revise the petitioner's pay and to pay Earned Leave Salary, and arrears of pension along with the interest.

3. According to the petitioner, similar writ petition has been filed before this Court in W.P.(MD) No.11390 of 2021 dated 09.07.2021 and this Court has passed an order directing the respondents to consider the petitioner's representation in the light of G.O.Ms.No.303, Finance (Pay Cell) Department, dated 11.10.2017 and G.O.Ms.No.134, Transport (D) Department, dated 09.04.2018 on its own merits.

4. The learned Standing Counsel appearing for the respondents has not disputed the said fact that an order being passed by this Court in the similar writ petition, directing the respondents to consider the petitioner's representation and pass appropriate orders.

5. In view of the above submissions made by the counsel for the parties concerned, this Court is inclined to direct the second respondent to consider the petitioner's representations dated 04.06.2021 & 05.06.2021 taking into account, both the aforesaid G.O.s and pass orders on its merits and in accordance with law as expeditiously as possible within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. With the above directions, the writ petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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<https://hcservices.ecourts.gov.in/hcservices/>



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Managing Director,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam - 612 001.

2.The General Manager,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam - 612 001.

3.The Chief Financial Officer,
The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Corporate Officer,
Kumbakonam - 612 001.

4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvallur House, Anna Salai,
Chennai - 600 002.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-31625[F] dated 07/10/2021)

+1 CC to M/s.D.SENTHIL KUMAAR, Advocate (SR-31610[F] dated 07/10/2021)

**W.P (MD) No.18321 of 2021
07.10.2021**

MGJ(27.10.2021) 3P 7C