



W.P(MD)No.9963 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.11.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9963 of 2021

V.Abuthagir

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bye-Pass Road, Madurai – 16.

2.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region, Bye-pass Road,
Dindigul – 4.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records connected with the Order passed by the 2nd respondent in Parvai:CES/R.O./DGL/608 dated 27/04/2021, quash the same and consequently direct the respondents to Revise and advance the date of 1st Review on 07/11/1993, 2nd Review on 07/11/2020, 3rd review on 07/11/2007 instead of 13/06/1995, 01/11/2007 and 01/02/2015 respectively and also to grant 4th Review Benefit on completion of 27 years of service on 07/11/2014 and 5th Review Benefit on completion of 32 years of service on 07/11/2019 in view of the 34 years of service rendered by the petitioner as on dated , in terms of Clause 3 of the 12(3) Settlement dated 04/01/2018 providing for Review



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Benefits 6+7+7+7=32 years with arrears of Review benefits along with belated payment interest at the rate of 18% p.a.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.J.Senthil Kumarriah,
Standing Counsel.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner joined the respondent corporation as Driver in the year 1987. He is still in service. He has put in 35 years of service. The stand of the petitioner is that he ought to have been given five reviews by now. Since the petitioner's request was not accepted, he has filed the present writ petition.

3.The learned counsel for the writ petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and called upon this Court to set aside the impugned communication and grant relief as prayed for.

4.After hearing the learned standing counsel, I am satisfied that the petitioner deserves to be given the fourth review. The first review for the writ



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petitioner was due in the year 1993. There was shortfall in service. Therefore, in the year 1993, he could not be given the first review. It was however given in the year 1995. When the occasion for granting next review arose in the year 2002, the petitioner could not be given because he was then undergoing punishment. However, the second review was conferred on the writ petitioner in the year 2007. The petitioner was given the third review in the year 2015. The petitioner is due for conferment of the fourth review in the year 2022. At present, there is no impediment and the petitioner is not undergoing any punishment. Therefore, I direct the respondents to grant the fourth review to the writ petitioner forthwith and without any delay along with attendant and monetary benefits. The fourth review shall be conferred on the writ petitioner within a period of two months from the date of receipt of a copy of this order. The writ petition is partly allowed. No costs.

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Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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