



W.P.No.15719 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2023

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.15719 of 2020

and

W.M.P.No.19778 of 2020

R.Seerangaraj

... Petitioner

/Vs/

1.The Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.
Rep. by its Managing Director
No.37, Mettupalayam Road
Coimbatore 641 043

2.The Administrator
The Tamil Nadu State Transport
Corporation Pension Trust
Thiruvallur Illam
Pallavan Ssalai
Chennai 600 002

3.The General Manager
The Tamil Nadu State Transport
Corporation (Coimbatore) Ltd.,
Tiruppur Branch II
Tiruppur.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India for



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issuance of Writ of Mandamus directing the Respondents refix the Petitioner's last drawn salary in the light of G.O.Ms.No.323 dated 17.10.2019 issued by Finance (Allowance) Department, Tamil Nadu and to disburse the retirement benefits along with 18% interest for the delayed period of instalments within a period.

For Petitioner : Mr.B.Vishnucheliya

For Respondents : Mr.Murali Vinoth (for R1 & R3)
Standing counsel

Mr.C.S.K.Sathish (for R2)
Standing counsel

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus directing the Respondents to refix the Petitioner's last drawn salary in the light of G.O.Ms.No.323 dated 17.10.2019 issued by Finance (Allowance) Department, Tamil Nadu and to disburse the retirement benefits along with 18% interest for the delayed period of instalments within a period.

2.Heard the learned counsel for the Petitioner, the learned standing counsel for the first and the third Respondents and the learned standing counsel for the second Respondent.



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3.The learned counsel for the Petitioner submitted that the Petitioner joined as a Company Apprentice with the Respondent's Corporation on 23.10.1983, subsequently, he was promoted as Junior tradesman in the year 1985. He availed a housing loan with LIC Housing Finance Ltd., for a sum of Rs.16,50,000/- on 13.06.2016. Subsequently, he retired from service on attaining the age of superannuation on 31.07.2019. On 17.10.2019, the Tamil Nadu Government has issued a G.O.Ms.No.323, increasing the DA from 12% to 17% with effect from 01.07.2019.

4.The learned counsel for the Petitioner further submitted that if the benefit of G.O.Ms.No.323 dated 17.10.2019 is passed on to the Petitioner, his last drawn salary and his retirement benefit would significantly increase. Hence, the Petitioner filed this Writ Petition to refix the Petitioner's last drawn salary in light of the G.O.Ms.No.323 dated 17.10.2019, issued by Finance (Allowance) Department and to disburse the retirement benefits along with 18% interest.

5.Taking into consideration the fact that G.O.Ms.No.323 dated 17.10.2019 was issued increasing the DA from 12% to 17% with effect from 01.07.2019 and the fact that the Petitioner is yet to receive the retiral benefits,



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the Respondents are directed to disburse the retiral benefits of the Petitioner with interest at the rate of the 6% per annum from the date of retirement till the date of disbursement.

6.In so far as the refixation of Petitioner's last drawn salary in the light of G.O.Ms.No.323 dated 17.10.2019 issued by the Finance (Allowances) Department is concerned, the Petitioner can submit a separate representation to the Respondents and on receipt of the same, the Respondents shall consider the same, on its own merits and pass orders in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7.With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

19.10.2023

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To

WEB COPY

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R.N.MANJULA, J.

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