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Rev.Appln.No.177 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.07.2023

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

Rev.Appln.No.177 of 2018

The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Erode Region, Chennimalai,
Erode – 638 001.

... Petitioner

Vs.

1.V.T.Sundaram
2.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

... Respondents

Prayer: Review Application filed under Order 47 Rule 1 of CPC 1908 read with Section 114 of the Code of Civil Procedure to review the order dated 22.09.2017 made in W.P.No.25590 of 2017.

For Petitioner

: Mr.M.Murali Vinod



ORDER

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“16. Accordingly, the writ petitioner who is falling in the category as stipulated in G.O.Ms.No.311 Finance (CMPC) Department dated 31.12.2014, are eligible to get their annual increments, notionally with effect from the date of retirement and the monetary benefits will be granted with effect from 31.12.2014, the date of G.O.Ms.No.311 Finance (CMPC) Department. With this clarification, the respondents and the competent authorities are directed to implement G.O.Ms.No.311 Finance (CMPC) Department dated 31.12.2014, by granting the benefit of annual increments, by verifying the respective service Records of the writ petitioner and pay the monetary benefits prospectively with effect from 31.12.2014.

17. With this direction, the Writ Petition stands disposed of. However, there shall be no order as to costs.”

2. This Court directed the authorities to implement G.O.Ms.No.311



Finance (CMPC) Department dated 31.12.2014 by extending the benefit of annual increments to the employees of the Transport Corporation by verifying the service records of the employee concerned.

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3. The learned counsel for the review petitioner now furnished a copy of the Government letter dated 18.08.2022 stating that the case of the first respondent is not falling within the ambit of G.O.Ms.No.311 Finance (CMPC) Department dated 31.12.2014. When the case of the writ petitioner is not fall within the benefit of the Government Order, the said benefit cannot be extended. Further, this Court has not issued any direction to settle the benefits contrary to the Government Order.

4. It was made clear by this Court that the benefit of annual increment is to be granted by verifying the service records of the writ petitioner. If at all the first respondent is not eligible for annual increment as per the Government Order, then the same need not be extended.

5. It is brought to the notice of this Court that the Board has not approved the Government Order issued in G.O.Ms.No.311 Finance (CMPC)



Rev.Appln.No.177 of

Department dated 31.12.2014 and therefore, the first respondent employee is not eligible to get annual increment based on G.O.Ms.No.311 Finance (CMPC) Department dated 31.12.2014.

6. With these clarifications, this Review Application stands disposed of. No costs.

10.07.2023

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Index : Yes
Speaking order

To

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.



WEB COPY



Rev.Appln.No.177 of

S.M.SUBRAMANIAM, J.

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Rev.Appln.No.177 of 2018

10.07.2023