



W.P(MD)No.8945 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8945 of 2023

P.Chinnasamy

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam,
Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Periyamilaguparai,
Trichy Region,
Trichirappalli District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents herein to re-calculate the retirement benefits by taking the basic salary and other allowances of the petitioner before increment cut for a period of 6 months without cumulative effect by implementing the order in த.அ.போ.க./குட்ப /திருச்சி/196/6414/2019 dated 27.02.2020 passed by the first respondent herein and sanction the difference amount of retirement benefits and other attendant benefits including arrears of pension amount along with interest at the rate of 6% per annum within the time limit that may be fixed by this Court.



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For Petitioner : Mr.N.Sudhagar Nagaraj

For Respondents : Mr.K.Jagadeesbalan
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner was employed as driver in the respondent corporation. He retired from service on 29.02.2020. During his service, he was visited with an order of punishment of stoppage of increment for a period of six months without cumulative effect. This order was passed on 30.01.2020 by the General Manager. Questioning the same, he filed an appeal before the Managing Director. The Managing Director vide order dated 27.02.2020 modified the said punishment order and levied a fine of Rs.500/- alone. However, when the petitioner retired from service, his pensionary and other benefits were calculated as if the punishment imposed on 30.01.2020 was still holding good. Therefore, the present writ petition has been filed for recalculating the petitioner's retirement benefits.

3. The request of the petitioner is reasonable and acceptable. The respondents are therefore directed to recalculate the petitioner's retirement



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benefit as if he did not suffer from any punishment vide order dated 30.01.2020. If the petitioner may have to be paid some additional sum, the respondent has to do so. However, it shall not carry interest, if the benefits are disbursed within twelve weeks.

4. The Writ Petition is allowed on these terms. No costs.

19.04.2023

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

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