



W.P(MD)No.18194 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD).No.18194 of 2023

M.Sekar

...Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
New Railway Station Road,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation (KMB) Ltd.,
Pudukkottai Region,
Pillai Thanneer Panthal,
Pudukkottai – 622 001.

...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 disburse the petitioner's difference amount of Salary from January 2016 to March 2018, on the basis of VIIth pay Commission along with interest 6%.



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For Petitioner : Mr.K. Gokul

For respondents : Mr.K.Ramaiah

Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to disburse the petitioner's difference amount of Salary from January 2016 to March 2018, on the basis of VIIth pay Commission along with interest 6%.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner was appointed in the respondent Corporation as a Junior Engineer on 10.05.1984. He was voluntarily retired from service as a Deputy Manager on 31.08.2021, after completing 37 years of service. When he was in service, VII Pay Commission came into effect on 01.01.2016. However, the same was implemented on 01.04.2018 after the retirement of the petitioner. The petitioner's pension and



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commutation were disbursed on the basis of VII Pay Commission and the same is still continuing. However, the salary has to be revised on the basis of VII Pay Commission. If that is done, the petitioner will get difference amount than which he is receiving as on date. The respondents have already revised the pension and recovered the amount from pension for commutation with retrospective effect from the date of retirement and the recovery was effected on 05.10.2019 and the revised commutation was issued on 30.01.2021.

4. The petitioner made several representations to the respondents in person. However, that is of no avail. Finally, the petitioner has sent another representation on 27.06.2023, which was also of no avail. Hence, this writ petition came to filed.

5. Considering the facts and circumstances of this case, this Court is inclined to direct the respondents to disburse the petitioner's difference in amount of gratuity, surrender leave, pension arrears and the pension from January 2016 to March 2018, on the basis of VII Pay Commission along with 6% interest, considering the representation of the petitioner, dated 27.06.2023.



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6. This writ petition stands disposed of, accordingly. There shall be no order as to costs.

27.07.2023

Index : Yes / No
Internet : Yes/ No
trp

To

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L.VICTORIA GOWRI, J.,

trp

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