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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.06.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.20949 of 2018

M.Duraisamy

... Petitioner

- Vs. -

1. The Managing Director,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
Trichy Region,
Trichy.
3. The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai 2.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Declaration declaring that the action of the respondents in denying annual increment which was due to the petitioner in the month of February 2016, denying him 4th review benefit and the action of the respondents in refusing to



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count the period from 03.04.2015 to 19.09.2015 as leave on loss of pay as illegal, contrary to Section 47(1) Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 and the same is in clear violation of order issued in W.P(MD)No.22469 of 2015 dated 04.01.2016 and consequently direct the respondents, (i). to grant annual increment to the petitioner with effect from February 2016 (ii) to grant 4th review benefit to the petitioner with effect from 01.02.2017 (iii) to pay employer's provident fund contribution to the 3rd respondent Trust in respect of the period from 03.04.2015 to 19.09.2015 so as to enable the 3rd respondent Trust to pay pension to the petitioner by counting the said period as qualifying/pensionable service and (iv) to re-fix the petitioner last pay drawn pay based on the increment and 4th review benefit to be given to the petitioner and to direct the respondents to pay difference in salary and difference in terminal benefits within a time frame that may be fixed by this Court together with interest at the rate of 12% per annum.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.D.Sivaraman

ORDER

Today, when the matter is taken up for hearing, Mr.D.Sivaraman, learned counsel appearing for the respondents submitted that without representation, this writ petitioner seeking his claim.



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2. In view of the aforesaid submission, the petitioner is directed to submit a representation. On receipt of the same, the respondents are directed to consider the representation of the petitioner, within a period of 8 weeks from the date of receipt of a copy of the order.

3. With the above terms, this Writ Petition is disposed of. There shall be no order as to costs.

Index : Yes / No
Internet : Yes
ksa

20.06.2023

To

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S.SRIMATHY, J

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**Order made in
W.P.(MD)No.20949 of 2018**

20.06.2023