



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 13.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.14548 of 2019

I.Murugesan

... Petitioner

Vs

- 1.The State of Tamil Nadu
Represented by its Commissioner,
Secretary to Government
Transport Department,
Fort St George,
Chennai.
- 2.Tamil Nadu State Transport,
Corporation (Kumbakonam) Ltd,
Represented by its Managing Director,
No.27, New Railway Station Road,
Kumbakonam – 612 001.
- 3.The General Manager,
Law Department,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd,
Karaikudi Region, Karaikudi.
- 4.The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust/
Pallavan Salai,
Chennai – 2.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to extend the benefit of treating the petitioner as Junior Assistant from the date of his original appointment as Clerk in the 2nd respondent corporation and accordingly direct the respondent grant periodical review and pass necessary orders to give notional promotion to him as Superintendent after completion of 24 years of the petitioner's service and to grant other attendant benefits including arrears of pay, increment, revision of pension and other retiral benefits.

For Petitioner : Mr.A.Rahul

For Respondent : Mr.P.T.Thiraviyam,
No.1 Government Advocate

ORDER

The petitioner was appointed as clerk in the 2nd respondent transport corporation, he was subsequently promoted as Senior Assistant and retired from service on attaining the age of superannuation on 30.11.2010.



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2.The petitioner with a grievance that the periodical review was not provided to this petitioner has submitted a representation to the respondents and has filed this petition that on the date of appointment as clerk he was having the required qualification for being appointed as Junior Assistant and therefore, he ought to have been appointed as a Junior Assistant and not as a clerk.

3.When this petition was taken up for hearing, the learned Government Advocate appearing for the respondent corporation submits that the petitioner was already granted with the relief. The relevant paragraph from the counter affidavit is extracted as under:

“21 persons including the petitioner were considered and re-designated as Junior Assistant and all the benefits were extended to the petitioner and other individuals with effect from 01.10.2010 as per the resolution passed by Board of Directors on 27.09.2010. The petitioner has accepted the revised scale and received the terminal benefits.”



WEB COPY 4. Recording the above submission of the learned Government

Advocate, this petition is closed.

13.12.2024

DSK

To

1. The Commissioner,
Secretary to Government
Transport Department,
Fort St George, Chennai.
2. The Managing Director,
Tamil Nadu State Transport,
Corporation (Kumbakonam) Ltd,
No.27, New Railway Station Road,
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B.PUGALENDHI.J.,

DSK

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