



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Friday, the Twenty First day of October Two Thousand Sixteen
PRESENT

The Hon`ble Dr.Justice S.VIMALA

WP (MD) No.18734 of 2016

R. AROCKIASAMY,
S/O. RAJUPILLAI,

... PETITIONER

Vs

1 THE MANAGEMENT OF TAMIL NADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LTD.
REP. BY ITS MANAGING DIRECTOR, KUMBAKONAM.

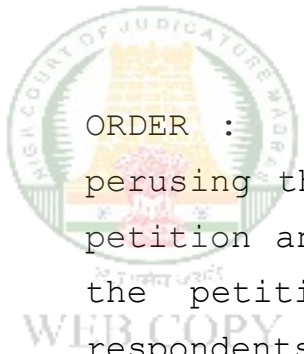
2 THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LTD., PUDUKKOTTAI REGION,
PUDUKKOTTAI.

3 THE ADMINISTRATOR,
TAMIL NADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST, THIRUVALLUVAR ILLAM,
PALLAVAN SALAI, CHENNAI - 2.

... RESPONDENTS

Prayer in WP (MD) NO.18734/2016:

Writ Petition is filed under Article 226 of the Constitution of India, praying this court to issue a WRIT OF CERTIORARIFIED MANDAMUS, calling for the records pertaining to the impugned order passed by the 1st respondent Ref: Tha.Aa.Po.Ka/Pudhu/Sadhu/SM/45 Pudukkottai Region dated 23.02.2016, quash the same and consequently direct the respondents to grant him 4th and 5th review benefits to the petitioner, to enhance / revise his pay with effect from 01.09.2010 and to issue revised pay fixation order for his promotion to the post of Senior Checking Inspector and Traffic Inspector in the 1st respondent corporation and further directing the respondents to pay arrears of difference in retiral benefits including difference in gratuity, monthly pension, commutation and earned leave salary and to pay the arrears from 31.05.2011 together with interest at 18% per annum.



ORDER : This petition coming on for hearing on this day, upon perusing the petition and the affidavit and material papers of the petition and upon hearing the arguments of Mr.A.RAHUL, Advocate for the petitioner and Mr.D.SIVARAMAN, Advocate on behalf of the respondents 1 & 2 and Mr.A.P.MUTHU PANDIAN, Advocate for the 3rd respondent, this court made the following order:-

This writ petition has been filed to call for the records pertaining to the impugned order passed by the 1st respondent Ref:Tha.A.Po.Ka/Pudhu/Sadhu/SM/45, Pudukkottai Region dated 23.02.2016, quash the same and consequently direct the respondents to grant him 4th and 5th review benefits to the petitioner, to enhance/revise his pay with effect from 01.09.2010 and to issue revised pay fixation order for his promotional post of Senior Checking Inspector and Traffic Inspector in the 1st respondent corporation and further directing the respondents to pay arrears of difference in retiral benefits including difference in gratuity, monthly pension, commutation and earned leave salary and to pay the arrears from 31.05.2011 together with interest at 18% p.a.

2.The Transport Corporation has passed the impugned order dated 23.02.2016, stating that based on the G.O.Ms.No.61, dated 30.04.2015, further due action will be taken. In the meantime, this writ petition has been filed directing the respondents to grant them the benefit. The petitioner has also sent his representation to the respondents on 20.08.2016.

3.The learned counsel for the respondents would submit that the salary arrears are already paid to the petitioner. The petitioner is not entitled to Earned Leave arrears, as there is no leave in his credit and gratuity arrears cheque is being ready to be disbursed to the petitioner herein. This Court expects that the Transport Corporation will be in a position to pass final orders on the representation given by the petitioner, within a period of two weeks.

4.Post the matter on 14.11.2016 for reporting compliance.

Sd/-
Assistant Registrar (CS-II)

/True copy/

Sub Assistant Registrar

TO

1 THE MANAGING DIRECTOR,
THE MANAGEMENT OF TAMIL NADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LTD., KUMBAKONAM.



2 THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION
(KUMBAKONAM) LTD., PUDUKKOTTAI REGION,
PUDUKKOTTAI.

3 THE ADMINISTRATOR,
TAMIL NADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST, THIRUVALLUVAR ILLAM,
PALLAVAN SALAI, CHENNAI - 2.

+1. C.C. to M/S.A.RAHUL Advocate SR.No.63323

ORDER DATE :21/10/2016
HEARING DATE:14/11/2016

ORDER

WP(MD) No.18734 of 2016

Giving directions etc., as stated
within etc.,

raj2
SH/KM/SAR-3:10.11.2016:2P/5C