



W.P.(MD)No.27180 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2025

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.27180 of 2022

S.Sarangapani

... Petitioner

Vs.

1.The Management of Tamil Nadu
State Corporation (Kumbakonam) Limited,
Trichy Region,
Rep. by its General Manager,
Trichy.

2.The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to pay the petitioner the difference in his terminal benefits, namely Gratuity, Encashment of Leave, after revision the same based on his revised/refixed scale of pay payable to him on the month of his retirement as entered/noted in his service book and also the grade pay as per settlement dated 04.01.2018, together with 18% interest per annum and pension commutation, based on such revised/refixed scale of pay and grade pension commutation, together with 18% interest per annum, within a time frame as may be fixed by this Court.



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For Petitioner : Mr.S.Arunachalam
For R1 : Mr.K.Jagadeesh Balan
Standing Counsel
For R2 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The writ petition has been filed for a direction to the first respondent to pay the difference in his terminal benefits, namely Gratuity, Encashment of Leave based on the revised scale of pay on the month of his retirement and the grade pay as per settlement, dated 04.01.2018, together with 18% interest per annum and pension commutation, based on such revised scale of pay and grade pension commutation, together with 18% interest per annum.

2. The petitioner claims that he was retired as a checking inspector. The petitioner has also substantiated the same by enclosing his service register. The grievance of the petitioner is that though he has served as a checking inspector and retired as a checking inspector, but his scale of pay has not been calculated as per the scale of pay for the checking inspector, his scale of pay has been calculated at the rate of Conductor and the terminal benefits were settled to this petitioner. Therefore, the petitioner has approached this Court to calculate his terminal benefits as eligible for the checking inspector.



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3. The learned Standing Counsel for the respondents submitted that this petitioner served as checking inspector only for a period of 4 days and therefore, he is not entitled for the benefits of scale of pay as that of the checking inspector.

4. This Court considered the rival submissions made and perused the materials placed on record.

5. Admittedly, this petitioner has retired only as a checking inspector. Whether he served for four days or one day, he retired as a checking inspector. Even if he served as checking inspector for one day, he is eligible for the scale of pay for the checking inspector. Therefore, the writ petition is allowed with a direction to the respondents to consider the petitioner's case for revision of scale of pay as well as terminal benefits and other benefits. The decision shall be taken within a period of 12 weeks from the date of receipt of a copy of this order. No costs.

02.01.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
SN



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To:

WEB COPY

- 1.The General Manager,
The Management of Tamil Nadu
State Corporation (Kumbakonam) Limited,
Trichy Region,
Trichy.
- 2.The Administrator,
Tamil Nadu State Transport Employees Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2.



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B.PUGALENDHI, J.

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