

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 28.1.2015.

CORAM

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P.No.12990 of 2014

Duruvasan

Petitioner

vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
12 Ramakrishna Salai,
Salem 636 007.

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondent to pay the retirement benefits including pension to the petitioner with interest at the rate of 18% from 28.02.2014 the date of retirement.

For Petitioner : Mr.A.Nagarathinam
For Respondents : Mr.Paramasivadoss

ORDER

The writ petitioner was appointed as Conductor in Tamil Nadu State Transport Corporation on 6.8.1980 and retired on attaining the age of superannuation on 28.2.2014. It is the grievance of the petitioner that though he retired on 28.2.2014, the respondent has not taken any action to pay either retirement benefits or pension. The petitioner submitted representations on 27.3.2014 and 15.4.2014 requesting the respondent to pay him retirement benefits. Since there was no follow up action, the petitioner is before this court.

2. Learned Standing Counsel appearing for the respondent, on instruction, submitted that the petitioner earlier raised a dispute in I.D.No.168 of 2007 before the Labour Court, Salem challenging the punishment imposed on him. The Labour Court was pleased to pass an award on 27.4.2013 modifying the punishment of stoppage of increment for 2 years. According to the learned Standing Counsel, the Transport Corporation has already challenged the award before this court in W.P.No.21107 of 2014. He would further submit that without prejudice to the contentions taken in the said writ petition, retirement benefits would be paid to the petitioner.

3. The respondent is directed to consider and dispose of the representation submitted by the petitioner taking into account his retirement date viz., 28.2.2014. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order. Disbursement of pension and other monetary benefits would be subject to the result of the writ petition in W.P.No.21107 of 2014.

4. The writ petition is disposed of with the above direction. No costs.

Sd/-
Deputy Registrar

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Sub Assistant Registrar

ssk.

To

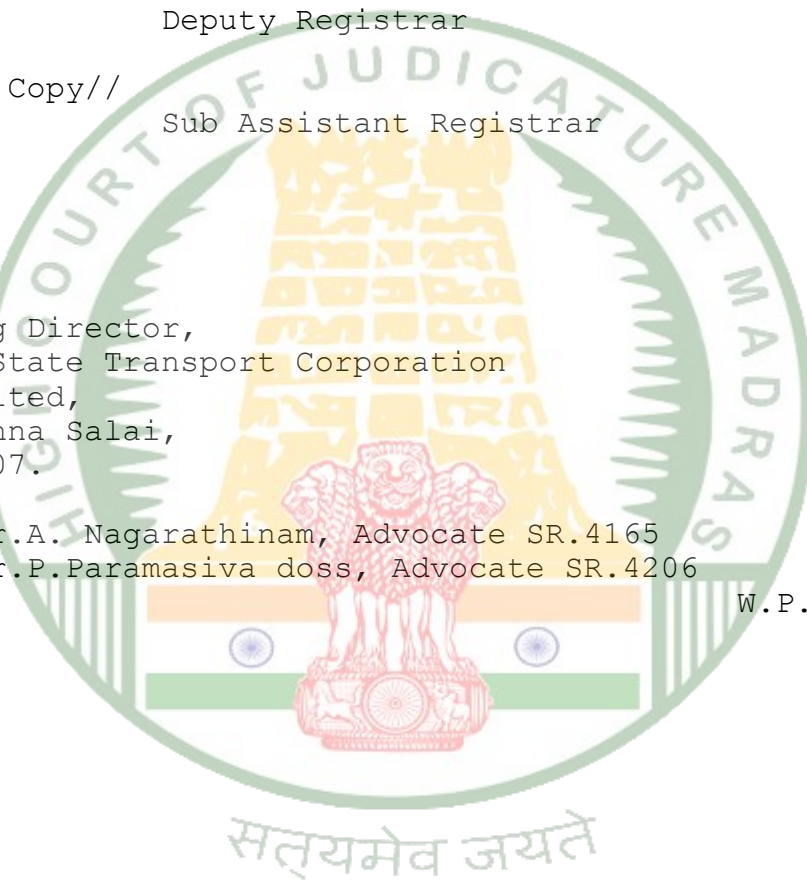
The Managing Director,
Tamil Nadu State Transport Corporation
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Salem 636 007.

+ 1 cc to Mr.A. Nagarathinam, Advocate SR.4165

+ 1 cc to Mr.P.Paramasiva doss, Advocate SR.4206

W.P.No.12990 of 2014

SSI(CO)
Eu 18.02.15



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