

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.25933 of 2015

K.S.Thulasi

... Petitioner

Vs.

- 1 The Additional Chief Secretary
Transport Department Fort St. George
Chennai.
- 2 The Managing Director
TN State Transport Corporation (VPM)
limited Villupuram.
- 3 The General Manager
TN State Transport Corporation (VPM)
limited Vellore region Vellore- 9.
- 4 The Administrator
TNSTC Employees Pension Fund Trust
Thiruvallur House No.2 Pallavan Salai
Chennai- 2. Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to sanction and disburse the all terminal/retirement benefits and pensionary benefits like provident fund death cum retirement gratuity encashment of leave other benefits etc to the petitioner on his retirement on 30.9.2013 including sanctioning of annual increment due to him in February 2013.

For Petitioner : Mr.S.N.Ravichandran

For Respondents : Mr.R.Vijayakumar for R1
Additional Government Pleader
Mr.P.Paramasivadosh for R2 to R4

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner while working as the Superintendent was involved in the alleged commission of offence punishable under Sections 13(2) r/w 13 (1) (d) of the Prevention of Corruption Act, 1988 and in this regard, Vigilance and Anti-Corruption Detachment, Vellore Detachment, Vellore has registered a case in Crime No.15 of 2012 on 03.07.2012. The petitioner was suspended from service. The Deputy Manager (Commercial) of Tamil Nadu State Transport Corporation (VPM) Limited, Vellore Region vide proceedings dated 30.09.2013 has relieved the petitioner from his duties from that date without prejudice to the outcome of the criminal proceedings as well as departmental proceedings pending against him and also pending settlement of accounts and his retirement or superannuation will be taken into consideration on completion of the departmental proceedings or the criminal proceedings pending in Crime No.15 of 2012 registered by Deputy Superintendent of Police, Director of Vigilance and Anti-Corruption, Vellore Detachment, Vellore.

3.The grievance expressed by the petitioner is that de hors the pendency of the departmental proceedings or criminal proceedings, he is entitled to get his contribution made to provident fund and provisional pension and in this regard, has submitted representations dated 02.10.2013, 28.10.2013, 22.07.2015, 24.07.2015 and 04.08.2015 and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.S.N.Ravichandran, learned counsel appearing for the petitioner, Mr.R.Vijayakumar, learned Additional Government Advocate who accepts notice on behalf of the first respondent and Mr.P.Paramasivadosh, learned counsel who accepts notice on behalf of the respondents 2 to 4.

5.Though the petitioner prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, directs the second respondent to consider and dispose of the petitioner's representations dated 02.10.2013, 28.10.2013, 22.07.2015, 24.07.2015 and 04.08.2015 on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6.The writ petition is disposed of accordingly. No costs.

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s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1 The Additional Chief Secretary
Transport Department Fort St. George
Chennai.

2 The Managing Director
TN State Transport Corporation (VPM)
limited Villupuram.

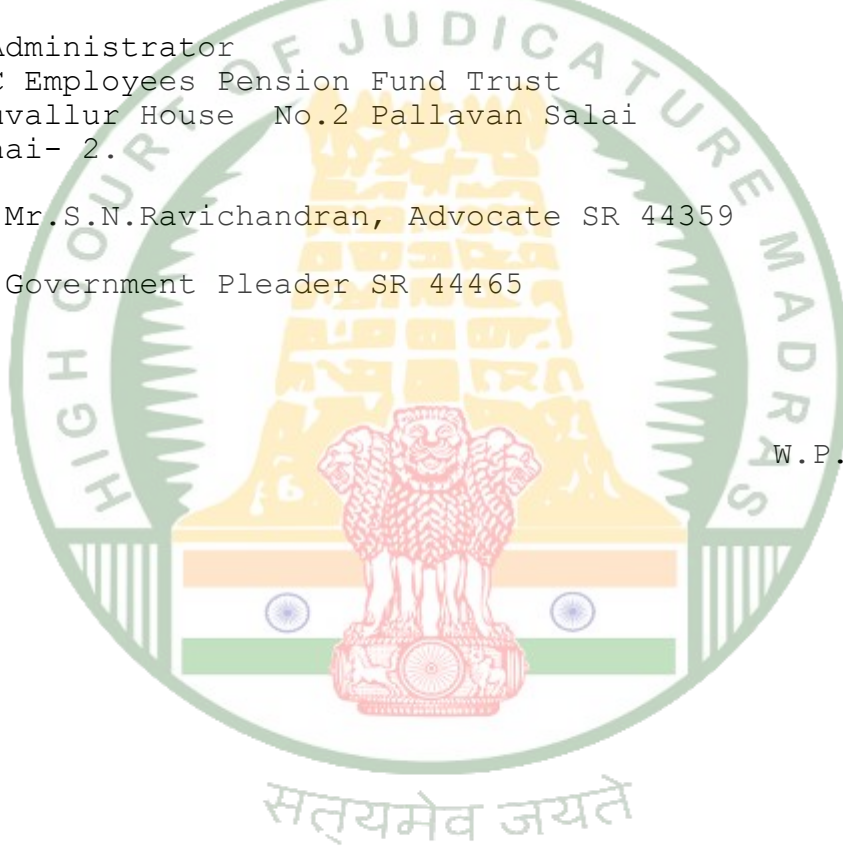
3 The General Manager
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4 The Administrator
TNSTC Employees Pension Fund Trust
Thiruvallur House No.2 Pallavan Salai
Chennai- 2.

+ 1 cc to Mr.S.N.Ravichandran, Advocate SR 44359

+ 1 cc to Government Pleader SR 44465

sr(co)
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