

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.28276 of 2015

T.S.Krishnamurthy

...Petitioner

vs

1. The Secretary to Government  
Transport Department  
Government of Tamilnadu  
Fort St. George, Chennai 600 009

2. The Finance Advisor  
The Metro Transport Corporation Ltd.,  
Pallavan House, Chennai Division I  
(Formerly P.T.C. Limited)  
Anna Salai, Chennai 600 002.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to consider the petitioner's representation dated 9.2.2012, regarding granting of pension and other retirement benefits along with interest from the date of his completion of 10 years of service accumulated from 30.3.1982, with future benefits and other retirement benefits.

For Petitioner : Mr.S.Purushothamadoss

For Respondents : Mr.S.Gunasekaran  
Government Advocate for R1

Mr.P.Paramasivadosh for R2

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ORDER

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

2.The petitioner would state that he was appointed as a Driver in the services of the then Tamil Nadu Transport Department, on 30.3.1972, and his token number was D.6250 and after completing 18 years of service, he retired on superannuation on 31.5.1990, as a

Selection Grade Driver. He would further state that the Government of Tamil Nadu had created various Transport Corporations and called for option from the erstwhile Transport Department Workers, who are willing to be absorbed in those departments, and in terms of the order passed by the Hon'ble Supreme Court of India in Civil Appeal Nos.1444 and 1445 of 1999 dated 29.10.2003, the cut off date was fixed as 1.4.1982.

3.The grievance expressed by the petitioner, is that though he has completed 10 years of service as on 29.3.1982, he has not been conferred with pensionary benefits and in this regard, he has submitted an application for pension dated 9.2.2012, and though it was received and acknowledged, no response is forthcoming and hence, he came forward to file this writ petition.

4.Heard the submissions of the learned Counsel appearing for the petitioner, Mr.S.Gunasekaran, learned Government Advocate, who accepted notice on behalf of the first respondent, and Mr.P.Paramasivadosh, learned Standing Counsel, who accepted notice on behalf of the second respondent.

5.Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances, permits the petitioner to submit one more representation to the respondents 1 and 2 by enclosing a copy of this order as well as a copy of his application for pension dated 9.2.2012, within a period of two weeks from the date of receipt of a copy of this order and the respondents 1 and 2, on receipt of the same, are directed to consider it on merits and in accordance with law and pass orders thereon within a period of ten weeks thereafter and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

nsv

To

1. The Secretary to Government  
Transport Department  
Government of Tamilnadu  
Fort St. George, Chennai 600 009

2. The Finance Advisor  
The Metro Transport Corporation Ltd.,  
Pallavan House, Chennai Division I  
(Formerly P.T.C. Limited)  
Anna Salai, Chennai 600 002.

1 CC to Mr.S.Purushothamados, Advocate SR.No. 48742

W.P.No.28276 of 2015

BVR (CO)  
PSI (28.09.2015)



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