

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.38535 of 2015

M.Selvakumar
2.M.Poongodi

.. Petitioners

Vs.

The Managing Director
Tamil Nadu Express Transport Corporation Ltd,
Pallavan Salai, Chennai-2.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the respondent to settle the remaining retirement and pensionary benefits due to the deceased K.Muthu, Checking Inspector (No.A.30816) by counting the entire period of service from the date of his initial appointment till the date of retirement in terms of the award passed in ID.No.143/1983 dated 07.02.1985 on the file of the Labour Court, Coimbatore and the consequential orders passed by the respondent in order passed by the respondent in order No.8908/C1/TTC/82 dated 2014/92.

For Petitioners : M/s.S.Kamadevan

For respondent : M/s.P.Paramasivadass.

O R D E R

With the consent of both sides, the writ petition is taken up for final disposal.

2.The case of the petitioners is that their father joined as Conductor in the respondent corporation on 19.09.1971, he was subsequently, promoted as Checking Inspector and retired from service on 31.03.2009. He passed away on 18.03.2014.

3.The grievance expressed by the petitioners is that the respondent has not taken into account the period of suspension, which is subsequently set aside by the Labour Court in ID.No.143 of 1983 for calculating pensionary benefits. Aggrieved by the action of the respondent, the petitioners gave representation on 02.03.2015, since no order

has been passed, the present writ petition has been filed.

4.Heard the submissions of Mr.S.Kamadevan, learned counsel appearing for the petitioners and M/s.P.Paramasivadass, learned counsel appearing for the respondent who accepts notice on behalf of the respondent.

5.Though the petitioners prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the case, directs the respondent to consider and dispose of the petitioner's representation dated 02.03.2015 and pass orders on merits and in accordance with law, within a period of twelve 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.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

tsh

To
The Managing Director
Tamil Nadu Express Transport Corporation Ltd,
Pallavan Salai, Chennai-2.

+1 cc to Mr.S.Kamadevan, Advocate, sr.69074

W.P.No.38535 of 2015

kk co
kra 19.01.2016

WEB COPY