

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 04.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.12516 of 2016

P.Subramanian

.. Petitioner

-vs-

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

2.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
3/137, Chalamedu Vazhtha Reddi (Post),
Villupuram - 605 602.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the second respondent to consider the petitioner's representation dated 28.08.2014 to reconstruct the petitioner's service book as in the case Allphones and pay pension for Government Service with arrears.

For Petitioner : Mr.K.Malaikannu

For respondents : Mr.R.Vijayakumar,
Additional Government Pleader
for R1

O R D E R

This writ petition has been filed seeking a direction to the second respondent to consider the petitioner's representation dated 28.08.2014 to reconstruct the petitioner's service book as in the case of Allphones and pay pension for Government Service with arrears.

2.Heard the learned counsel appearing for the petitioner as well as the learned Additional Government Pleader appearing for the first respondent.

3.A perusal of the affidavit shows that the petitioner was appointed as Driver on 06.10.1966 in the erstwhile Tamil Nadu State Transport Department and while he was in service, he requested the Management to grant him leave till he recovers from illness and rejoins duty. It further reveals that the Management refused to grant him leave and removed him from service in the year 1984 and he has not challenged the order of removal from service. Without challenging the said removal order, he has come to this Court seeking a direction to the second respondent to consider his representation dated 28.08.2014. When the petitioner himself has stated in the affidavit that he has not challenged the order of removal from service, this writ petition cannot be entertained, as the question of granting pension does not arise. Accordingly, the Writ Petition fails and the same is dismissed. No costs.

-s/d-

Assistant Registrar

True copy

Sub-Assistant Registrar

To

1.The Secretary to Government,
Transport Department,
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Chennai-600 009.

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Tamil Nadu State Transport
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+1 cc to Mr.K.Malaikkannu Advocate sr.21645

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