

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.No.24759 of 2016

D.Selvaraj

Petitioner

Vs

1.The Managing Director, Tamil Nadu State Transport Corporation Limited, Coimbatore

2.The General Manager, Tamil Nadu State Transport Corporation (Coimbatore Division II) Limited Erode 638001

3.The Tamil Nadu State Transport Corporation Employees Provident Fund Trust by its Administrator Chennai-2

Respondents

4.

Prayer:- This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the Respondents 1 and 2 to recover the gratuity amount already paid by the Respondents to the Petitioner which were settled in view of the discharge order dated 6.6.2000 in the cadre of conductor and to credit the same in the gratuity amount in the present cadre and forward the pension proposal to the 3rd Respondent counting the entire length of service i.e. from 22.5.1987 to 31.3.2016 so as to enable the 3rd Respondent to pay pension by considering the representation of the Petitioner dated 18.6.2016.

For Petitioner : Mr.T.Sellapandian
For Respondents : Mr.S.Sairam

ORDER

This Writ Petition is filed to issue a Writ of Mandamus to direct the Respondents 1 and 2 to recover the gratuity amount already paid by the Respondents to the Petitioner which were settled in view of the discharge order dated 6.6.2000 in the cadre of conductor and to credit the same in the gratuity amount in the present cadre and forward the pension proposal to the 3rd Respondent counting the entire length of service i.e. from 22.5.1987 to 31.3.2016 so as to enable the 3rd Respondent to pay pension by considering the representation of the Petitioner dated 18.6.2016.

2. This court heard the learned counsel on either side and also perused the materials placed on record.

3. The Petitioner has retired from the services and he has filed a detailed representation dated 18.6.2016 to include his services from the date of joining for the purpose of retirement benefits in tune with the earlier order passed by this court in WP.No.26950 of 2009, dated 19.3.2010, but till date the said representation is not considered. Hence, this Writ Petition has been filed.

4. The learned counsel for the Respondents would only contend that the said representation of the Petitioner would be disposed, on merits and in accordance with law.

5. Considering the submissions of the learned counsel on either side, the 1st Respondent is directed to dispose of the representation of the Petitioner dated 18.6.2016, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Srcm

s/d-

Assistant Registrar (CS-VII)

True Copy

Sub-Assistant Registrar

To:

1.The Managing Director, Tamil Nadu State Transport Corporation Limited, Coimbatore

2.The General Manager, Tamil Nadu State Transport Corporation (Coimbatore Division II) Limited
Erode 638001

3.The Tamil Nadu State Transport Corporation
Employees Provident Fund Trust by its Administrator
Chennai-2

+ 1 cc to Mr.T.Sellapandian, Advocate SR 40036

+ 1 cc to Mr.S.Sairaman, Advocate SR 40104

bvr(co)
prk4/8

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