

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.2992 of 2016

P.Durairaj

.. Petitioner

Vs.

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

2. The Managing Director,
Tamil Nadu Transport Corporation,
Mettupalayam Road,
Coimbatore - 641 035.

.. Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to consider the representation dated 02.02.2015, 01.12.2015 within a specific time frame as fixed by this Court and sanction the pensionary benefits as per the 12[3] Settlement.

For Petitioner : Mr.V.Venkatesan
For Respondent No.1 : Mr.L.Mahendran
Government Advocate
For Respondent No.2 : Mr.P.Kannan Kumar

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that he was appointed as Driver in the erstwhile Cheran Transport Corporation, Coimbatore, by an order dated 20.04.1982 and after serving 33 years, he was superannuated from service on 28.02.2015. The grievance of the petitioner is that despite giving necessary details on 09.02.2015 for the purpose of filing pension proposal, the respondents have not taken any action and his two increments as per 5th pay commission was not given and therefore, he made representations to the second respondent. Since no order has been passed, the present Writ Petition has been filed.

3.Heard the submissions of Mr.V.Venkatesan, learned counsel appearing for the petitioner, Mr.L.Mahendran, learned Government Advocate, who accepts notice on behalf of the first respondent and Mr.P.Kannan Kumar, learned Standing Counsel, who accepts notice on behalf of the second respondent.

4.This Court, taking into consideration the above facts and circumstances and without going into the merits of the same, directs the second respondent to consider the representations of the petitioner dated 02.02.2015 and 01.12.2015 and pass orders, on merits and in accordance with law, 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.

5.The Writ Petition is disposed of accordingly. No costs.
sri

-s/d-

Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

To

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

2. The Managing Director,
Tamil Nadu Transport Corporation,
Mettupalayam Road,
Coimbatore - 641 035.

+ 1 cc to Mr.V.Venkatesan,Advocate, SR 5366

+ 1 cc to Mr.P.kannankumar, Advocate, SR 5366

+ 1 cc to Government Pleader, High Court, Madras SR 5518

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