

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.41459 of 2016

P.Subramani

...Petitioner

vs.

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

2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Vellore Division,
Rengapuram, Vellore-632 009.

...Respondents

Prayer: 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 10.09.2016 to reconstruct his service book based on the service book of his juniors and pay him pension for his Government service with arrears within the stipulated time.

For Petitioner : Mr.K.Malaikannu

For Respondents : Mr.P.Kannan Kumar

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 10.09.2016 to reconstruct his service book based on the service book of his juniors and pay him pension for his Government service with arrears within the stipulated time.

2. The petitioner was appointed as Driver with Staff No.3676, vide order dated 06.10.1966 and joined duty on 07.10.1966 in the erstwhile Tamil Nadu State Transport Department (TNSTD) in pensionable service and deputed to newly formed Pallavan Transport Corporation with effect from 01.01.1981. The petitioner have requisite qualifying service i.e., more than ten years from 07.10.1996 to 01.04.1982 and applied to the respondent to claim pension with arrears from the Government as per G.O.(Ms).No.42, Transport Department dated 27.05.2005 and his representation was not considered and he was informed that his pension papers were not processed since his service book was not traceable in the office of the respondent. The second respondent, in the reply dated 03.10.2016 informed that the petitioner's representation dated 10.09.2016 is forwarded to the Metropolitan Transport Corporation and State Express Transport Corporation to trace the petitioner's service book as and when his service book is traced, steps will be taken to pay pension. Hence, the petitioner has come forward with this writ petition.

3. Heard both sides and also perused the materials available on record.

4. Though the petitioner has come for larger relief, this Court, without going into the merits of the claim projected by the petitioner, permits the petitioner to give a fresh representation, seeking reconstruction of his service book, along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order and on such representation being made, the respondents shall consider the same and pass appropriate orders within a period of four weeks thereafter.

5. This Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jvm

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
3/137, Chalamedu Vazhtha Reddi (Post)
Villupuram-605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Vellore Division,
Rengapuram, Vellore-632 009.

+2ccs to Mr.K.Malaikannu, Advocate, S.R.No. 71122

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CNR (CO)
PSI (29/12/2016)



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