



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.12.2016

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.17274 of 2016 and

W.M.P.(MD) Nos.12549 and 12550 of 2016

WEB COPY

V.P.Prabaharan

.. Petitioner

-vs-

1. The Management of Tamil Nadu State
Transport Corporation (Kumbakonam) Ltd.,
Rep. by its Managing Director,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Trichy Region, Trichy.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-600 002.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 3rd respondent in Letter No.29/P2/TNSTC EPFT/2016-1309 dated 20.02.2016 insofar as directing the 1st respondent to stop the petitioner's monthly pension, quash the same and consequently to direct the respondents to pay the petitioner's monthly pension with effect from March 2016 along with monthly pension arrears for the months of May 2015 and June 2015.

For Petitioner	:	Mr.A.Rahul
For R1 & R2	:	Mr.D.Sivaraman
For R3	:	Mr.A.P.Muthupandian

O R D E R

This petition has been filed, seeking to quash the impugned order dated 20.02.2016 passed by the 3rd respondent in Letter No.29/P2/TNSTC EPFT/2016-1309, by which a direction was issued by the 3rd respondent to the respondents 1 & 2 to stop the pension of the petitioner. The petitioner also sought a direction to the respondents to pay the petitioner's monthly pension with effect from March 2016 along with monthly pension arrears for the months of May 2015 and June 2015.



2. The case of the petitioners is that he joined the services of the 1st respondent as Conductor on 15.03.1988 and on attaining the age of superannuation, he was allowed to retire on 30.04.2015; that even after adjustment of subsistence allowance recovery and non implemented increment cut, the balance amount of his terminal benefits has not been settled; that subsequently, all of a sudden, the monthly pension was withheld and was stopped from the month of March, 2016 without issuing any notice to him. Aggrieved by the same, the petitioner is before this Court.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents, who would submit that the respondents are agreeable to extend the pensionary benefits to the petitioner forthwith.

4. In view of the above submission, this Writ Petition is disposed of with the direction to the respondents to pay the arrears to the petitioner within a period of two months from the date of receipt of a copy of this order. The monthly pension payable to the petitioner shall be paid on or before 7th of every succeeding month without fail. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

/True Copy/

Sub Assistant Registrar

To:

1. The Managing Director,
The Management of Tamil Nadu State
Transport Corporation (Kumbakonam) Ltd.,
Kumbakonam.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Trichy Region, Trichy.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-600 002.

+1cc to Mr.A.Rahul, Advocate in SR NO.83221