

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.10.2017

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.15120 of 2014

M.P.Thamaraikannan

... Petitioner

Vs

The Managing Director
The Tamil Nadu State Transport
Corporation Salem (Ltd)
Salem 636 007.

... Respondent

PRAYER: Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus, directing the respondent to pass order forthwith permitting the petitioner to retire from service voluntarily in the light of his representation dated 19.03.2013 and further representation and grant him all retirement and pensionary benefits.

For Petitioner : Mrs.B.Divya for
: Mr.J.Muthukumaran
For Respondent : Mr.P.Paramasivadosh

O R D E R

The relief sought for in this writ petition is for a direction to direct the respondent to pass orders forthwith permitting the petitioner to retire from service voluntarily, in the light of his representation dated 19.03.2013.

2. The learned counsel appearing for the writ petitioner states that the writ petitioner has joined the service of the respondent/ Transport Corporation on 03.02.1984 and on account of certain personal reasons, he has submitted an application seeking voluntarily retirement on 19.03.2013.

3. On a perusal of the representation submitted by the writ petitioner, it is stated that he is suffering from 'Diabetes' and further suffering from Knee pain. At the outset, the writ petitioner states that he is unable to continue his service, on account of his physical ailments. Thus, the application was submitted seeking voluntarily retirement on 19.03.2013. In this regard, he has also submitted reply to the notice on 20.05.2013. However, the representation of the writ petitioner has not been considered till today, and no order has been passed, despite the fact

that the writ petitioner is eligible for voluntarily retirement, in accordance with Rules. Thus, the same may be considered without any further delay.

4. Thus, this Court is of the opinion that such application seeking voluntarily retirement must be considered within a reasonable period and the same should not be kept pending without passing any orders.

5. In this view of the matter, the respondent is directed to consider the application submitted by the writ petitioner on 19.03.2013 and pass orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

dna
To

The Managing Director
The Tamil Nadu State Transport
Corporation Salem (Ltd)
Salem 636 007.

+ 1 cc to Mr. J. Muthukumaran, Advocate SR.73192
+ 1 cc to Mr. P. Paramasivadosh, Advocate Sr.73160

W.P.No.15120 of 2014

ry(CO)
EU(20/11/2017)

WEB COPY