

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2017

CORAM

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

W.P.No.26579 of 2009

V.S.Chennappan

... Petitioner

Vs

1.The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund
Pallavan Salai, Chennai - 600 002

2.The Management of
Tamil Nadu State Transport Corporation
(Villupuram Division-II) Ltd.,
Vellore, Vellore District-632 009

... Respondents

PRAYER: Writ Petition filed under Article 226 of The Constitution of India, praying to issue a Writ of Mandamus, seeking a direction to pay pension to the petitioner for the service rendered with the 2nd respondent Transport Corporation.

For Petitioner : Mr.S.T.Varadarajulu
For Respondents : No Appearance

O R D E R

The relief sought for in this writ petition is for a direction to the respondents to pay the pension to the petitioner for the services rendered by him with the second respondent Transport Corporation.

2.The learned counsel for the petitioner submitted that the writ petitioner has served for more than 10 years in the second respondent Transport Corporation. Thus, he is eligible for pension under the Pension Scheme. However, the respondents have not considered the same. In this regard, the learned counsel for the petitioner states that the petitioner has completed 11 years of continuous service and as per the Pension Fund Rule, minimum eligible service for getting pension is 10 years. The respondents have not considered the case of the petitioner for grant of pension in accordance with the rules in force.

3. This Court is of the considered opinion that in respect of the continuous services of not less than 10 years has to be calculated based on the service records of the writ petitioner. In this regard, the respondents have to verify the service records of the writ petitioner and thereafter, take a decision. The writ petitioner also submitted that he had sent several representations dated 09.11.2006 and 28.11.2006, directly to the respondents. Thus, without going into the merits of the matter, the respondents are directed to verify the service records by considering the representations submitted by the petitioner on 09.11.2006 and on 28.11.2006 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose the copies of the representations and the documents along with order passed in this Writ Petition.

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

Sd/-
Deputy Registrar

//True Copy//

Sub Assistant Registrar

dm/gsa
To

1. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund
Pallavan Salai, Chennai - 600 002

2. The Management of
Tamil Nadu State Transport Corporation
(Villupuram Division-II) Ltd.,
Vellore, Vellore District-632 009

+1cc Mr.S.T.Varadarajulu, Advocate SR.No.83128

sm:12.12.2017

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