



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2017

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WEB COPY

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P. (MD).No.4410 of 2017

V.Balasubramanian,
Selection Grade Senior Conductor,
Staff No.8558, SETC (Tamilnadu) Ltd.,
Kumbakonam Branch.

..Petitioner

Vs.

1.State Express Transport Corporation (Tamilnadu) Ltd.,
Represented by its Managing Director,
Pallavan Salai, Chennai-2

2.The General Manager,
State Express Transport Corporation (Tamilnadu) Ltd.,
Pallavan Salai, Chennai-2

3.The Branch Manager,
State Express Transport Corporation (Tamilnadu) Ltd.,
Kumbakonam Branch, Kumbakonam.

..Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass orders on the application submitted by him, dated 18.03.2016 to go on voluntary retirement and sanction and pay voluntary retirement pension and all other attendant retirement benefits including Gratuity, Commuted Value of Pension, Provident Fund etc., to the petitioner within the time limit that may be fixed by this Court in accordance with Rule 16(a)(ii) of Tamil Nadu State Transport Corporation Pension Fund Trust Rules.

For Petitioner

: Mr.A.Rahul

For Respondents

: Mr.K.Sathiya Singh,

Standing Counsel for TNSTC

O R D E R

This Writ petition has been filed by the petitioner for issuance of a Writ of Mandamus, directing the respondents to pass orders on the application submitted by him, dated 18.03.2016 to go on voluntary retirement and sanction and pay voluntary retirement pension and all other attendant retirement benefits including Gratuity, Commuted Value of Pension, Provident Fund etc., to him within the time limit that may be fixed by this Court in



accordance with Rule 16(a)(ii) of Tamil Nadu State Transport Corporation Pension Fund Trust Rules.

2. Heard the learned counsel appearing for the petitioner and Learned Standing Counsel appearing for Respondents.

3. Mr.K.Sathiya Singh, learned Standing Counsel for TNSTC, takes notice for the respondents. By consent, the Writ petition itself is taken up for final disposal.

4. Though the Writ petition is for issuing a positive direction, the learned counsel for the petitioner submit that the petitioner will be satisfied if a direction is issued to the first respondent to consider the application of the petitioner, dated 18.03.2016 to go on voluntary retirement under the voluntary retirement scheme introduced by the Management/respondents.

5. Having regard to the limited scope of the prayer now sought for in the present Writ petition, without expressing any opinion on the merits of the matter, this Court is inclined to issue the following direction:-

"The first respondent is directed to consider the application of the petitioner, dated 18.03.2016, opting for voluntary retirement as per Rule 16(a)(ii) of Tamil Nadu State Transport Corporation Pension Fund Trust Rules, and pass appropriate 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."

6. Accordingly, the Writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(A.S)

/True Copy/

Sub Assistant Registrar

To

1.The Managing Director,
State Express Transport
Corporation (Tamilnadu) Ltd.,
Pallavan Salai,
Chennai-2

2.The General Manager,
State Express Transport,
Corporation (Tamilnadu) Ltd.,
Pallavan Salai,
Chennai-2



3.The Branch Manager,
State Express Transport
Corporation (Tamilnadu) Ltd.,
Kumbakonam Branch,
Kumbakonam.

+1cc to Mr.A.Rahul,Advocate,SR.15238

+1cc to M/S.K.Sathiyasingh,Advocate,SR.15293

ORDER MADE IN
W.P. (MD) .No.4410 of 2017
16.03.2017

PMU

KK-SVMMS-28.03.2017-3P-6C