



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.09.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.17010 of 2016

P.Mani

... Petitioner

vs.

1.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,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

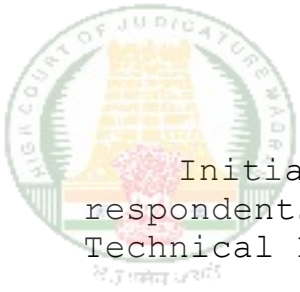
... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Declaration declaring the action of the respondents in resolving to pay the commuted value of pension payable to the petitioner in 12 equal monthly installments from March, 2016, without interest for the belated payment of the same as illegal, arbitrary and violative of Articles 14 and 21 of Constitution of India and consequently directing the respondents to settle his entire commuted value of pension in one lump sum by computing the same in terms of settlement under Section 12(3) of the ID Act 1947 dated 13.04.2015 with interest at the rate of 18% p.a. Payable from the date of retirement of the petitioner to till the date of payment of the said amount within a stipulated time.

For Petitioner : Mr.A.Rahul

For R1 & R2 : Mr.D.Sivaraman

For R3 : Mr.A.P.Muthupandian



ORDER

Initially, the petitioner was employed as technician in the respondents Transport Corporation and later on, promoted as Technical Level-5. He retired from service on 31.03.2014.

2. The grievance of the petitioner is that he is entitled to commuted value of pension in one lump sum by computing the same in terms of settlement under Section 12(3) of the ID Act 1947 dated 13.04.2015. Since the same has not been paid, he made a representation dated 05.07.2016 therefor and that the same has not been considered. Therefore, the petitioner has filed this writ petition.

3. Learned counsel for the respondents submitted that it is agreeable for the respondents to consider the representation of the petitioner dated 05.07.2016 and to pass orders.

4. Recording the above submission, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 05.07.2016, in the light of 12(3) Settlement dated 13.04.2015 and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(As)

/True copy/

Sub Assistant Registrar

To

1. The Managing Director,
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,
The Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai - 600 002.

rj2

sm:sks-rr:09/11/2016:2P/4C

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