

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :12.09.2018

CORAM

THE HON'BLE MR.JUSTICE SATRUGHANA PUJAHARI

Writ Petition No. 23858 of 2018

K.Kittusamy

...Petitioner

Vs.

1. The General Managar,  
TN State Transport Corporation (CBE) Ltd.,  
Head Office, Mettupalayam Road,  
Coimbatore.

2. The Assistant Manager,  
Personal Department - 2,  
TN Transport Corporation (CBE) Ltd.,  
No. 37, Mettupalayam Road,  
Coimbatore - 43.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the second respondent to initiate the proceeding based on the letter dated 28.05.2016 and dispose it as soon as possible.

For Petitioner : Mr. J.Franklin

O R D E R

The grievance of the petitioner in this case is non disposal of his representation dated 28.05.2016 made to the second respondent followed by representations to the first respondent and Executive Director of the respondents Transport Corporation dated 28.05.2016 and 28.11.2016 respectively, ventilating his grievance of release of reduced pension to him. The petitioner therefore seeks a direction to the second respondent to take appropriate steps to address his representation dated 28.05.2016 and release him the appropriate pension.

2. According to the petitioner, he is entitled to pension of Rs.15,141/- (Rupees Fifteen Thousand One Hundred and forty one only) from 01.12.2015, which he was getting but suddenly his pension was reduced to Rs.14,621/- (Rupees Fourteen thousand six hundred and twenty one only) from 01.02.2016, without

justifiable reasons and as such he has filed his representation as aforesaid and for non consideration of the same, he has filed this Writ Petition seeking the relief as stated above.

3. The learned counsel appearing for the petitioner submits that the second respondent be directed to take appropriate steps for consideration of his representation dated 28.05.2016 and release the appropriate pension to him, reviewing the order of reduction of pension.

4. In view of the limited nature of relief sought for by the petitioner, this Court is of the view that no useful purpose is going to be served in issuing notice to the respondents, seeking counter/reply affidavit from the respondents, before disposal of the Writ Petition, inasmuch as grant of the relief sought for without any notice to the respondents going to cause no prejudice to them.

5. Considering the nature of relief sought for and also the submissions of the counsel for the petitioner, this Court disposes of the Writ Petition, without seeking reply affidavit with a direction to the respondents, more particularly the second respondent to take appropriate steps for disposal of the representation made by the petitioner on 28.05.2016, addressing his grievance and pass a speaking order on the same, so also communicate the decision thereof to the petitioner. It is made clear that since this Court has expressed no opinion on the merits of such representation, therefore, there is no fetter on the part of the second respondent to dispose of the representation, in any particular manner. No costs.

Sd/-  
Assistant Registrar (CCC)

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सत्यमेव जयते

Sub Assistant Registrar

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mrm/arr

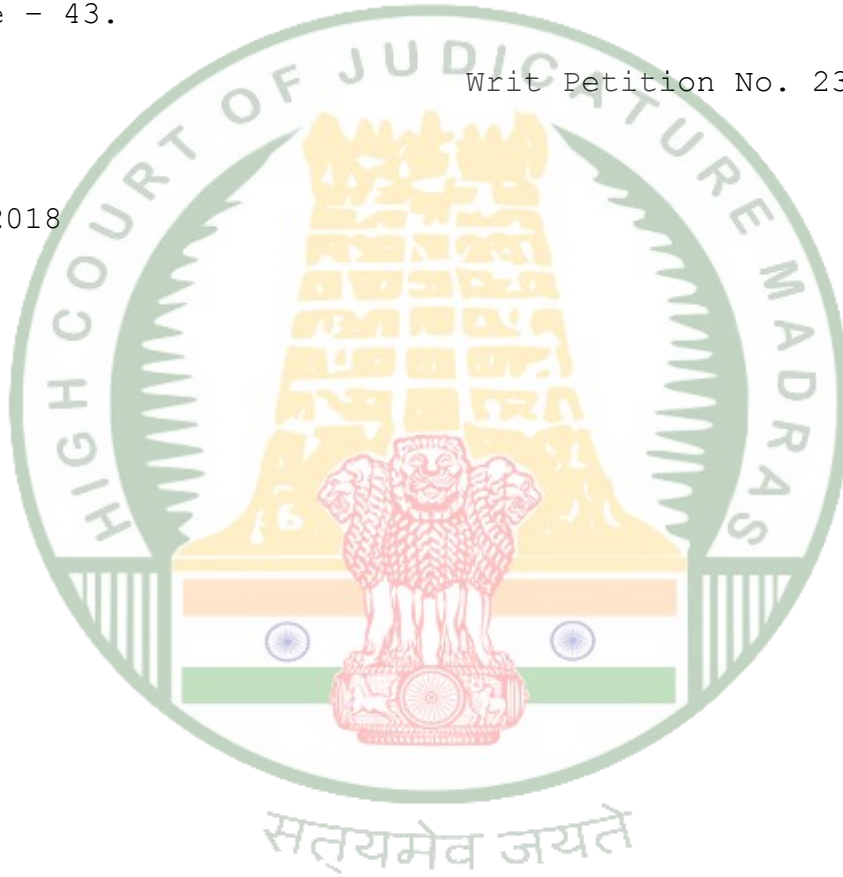
To

1. The General Manager,  
TN State Transport Corporation (CBE) Ltd.,  
Head Office, Mettupalayam Road,  
Coimbatore.

2. The Assistant Manager,  
Personal Department - 2,  
TN Transport Corporation (CBE) Ltd.,  
No. 37, Mettupalayam Road,  
Coimbatore - 43.

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KK (CO)  
EU 22.10.2018



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