

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18-06-2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.14559 of 2018

T.Manoharan

.. Petitioner

Versus

1.The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore-641 043.

2.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

.. Respondents

PRAYER: Writ petition is are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation made by the petitioner on 19.1.2018 requesting to revise the pension by taking petitioner's service as 29 years 6 months and 17 days based on the letter No.901/E12/PDP-2/TSTC (CBE) 2016 dated 16.11.2016 and consequently pay the arrears of pension and pension commutation.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.P.Kannan Kumar

ORDER

The relief sought for in this writ petition is for a direction to direct the respondents to consider the representation submitted by the writ petitioner on 19.1.2018, requesting to revise the pension by taking petitioner's service as 29 years 6 months and 17 days based on the letter of the first respondent dated 16.11.2016.

2. The learned counsel, appearing on behalf of the writ petitioner, made a submission that the writ petitioner was allowed to retire from service on 31.5.2014. However, the entire period of service rendered by the writ petitioner has not been reckoned for the purpose of calculating the pensionary and other terminal benefits.

3. At the outset, the grievance of the writ petitioner is that the qualifying service rendered by him has not been taken into consideration for the purpose of calculating the pensionary benefits. However, these factual details are to be verified by the respondents based on the service particulars entered in the Service Register of the writ petitioner. Thus, this Court is inclined to consider the case of the writ petitioner to the extent that the representation submitted by the writ petitioner needs to be considered.

4. Accordingly, the first respondent is directed to consider the representation submitted by the writ petitioner on 19.1.2018 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/--

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

Svn

+1cc to MR.D.Veerasekaran, Advocate Sr.No.38029

+2cc to Mr.P.Kannan Kumar, Advocate Sr.No.38251

SS(CO)

sm:25.6.2018

W.P.No.14559 of 2018

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