

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.26133 of 2018 and W.M.P.No.30349 of 2018

The State Transport and Transport Corporation
Retired Employees Welfare Association
(Regd.No.127 of 2011), Pallavan Salai
rep.by its General Secretary K.Karsan
Chennai 600 002

.... Petitioner

Vs

1.The State of Tamil Nadu
rep.by its Secretary to Government
Transport Department, Secretariat
Fort St.George, Chennai 600 009.

2.The Administrator

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

.... Respondents

For Petitioner : M/s.G.Sankaran
For Respondent : Ms.Rajeni Ramadoss,
Standing Counsel for R2
Mr.A.N.Thambidurai,
Special Government Pleader for R1

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondents to sanction Dearness Allowance to the pensioners family pensioners of State Transport Corporation, the members of the petitioner Association from second half year of 2015 onwards at Government rate as ordered by State Government with arrears as well as interest for belated payment of pensionary benefits as per Rule 20(A) of Tamil Nadu Transport Corporation Pension Fund Rules by considering the representation dated 10.04.2018, within the time frame fixed by this Honourable Court.

O R D E R

This writ petition has been filed, seeking direction to the respondents to consider the representation of the petitioner association dated 10.04.2018, by which the petitioner has sought for sanction of Dearness Allowance to the members of the

petitioner association from second half year of 2015 onwards at Government rate as ordered by State Government with arrears as well as interest for belated payment of pensionary benefits as per Rule 20(A) of Tamil Nadu Transport Corporation Pension Fund Rules.

2. Rule 20(A) of the Tamil Nadu Transport Corporation Pension Rules reads as follows.

"20A - Dearness Allowance to Pensioners in addition to the basic pension, the pensioners are eligible for nominal Dearness Allowance at the rates that may be determined by the Government of Tamil Nadu."

3. Ms.Rajeni Ramadoss, learned Standing Counsel takes notice on behalf of the respondents. Heard the learned counsel on either side and perused the materials placed on record.

4. In view of the limited prayer, without going into the merits of the matter, the respondents are directed to consider the representation dated 10.04.2018 submitted by the petitioner association, in the light of Rule 20A of Tamil Nadu Transport Corporation Pension Fund Rules, and pass orders thereon, in accordance of law within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

KST

To

1.The Secretary to Government of Tamil Nadu,
Transport Department, Secretariat
Fort St.George, Chennai 600 009.

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

+1cc to Ms.Rajeni Ramadoss , Advocate SR.No. 85670

+1cc to M/s.G.Sankaran , Advocate SR.No. 85706

+1 CC TO GOVERNMENT PLEADER SR.NO. 86220

W.P.No.26133 of 2018

ASK(04/01/2019)