

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 23.10.2018

Coram

The Hon'ble Mr.Justice Satrugana Pujahari

Writ Petition No.27602 of 2018

J. Sridharan

...Petitioner

Vs.

1. The State of Tamil Nadu,
rep. by its Principal Secretary to Government,
Transport Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Managing Director,
State Express Transport Corporation (Tamil Nadu) Ltd.,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.
3. The Administrator,
Tamil Nadu State Corporation
Employees Pension Fund Trust
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the respondents to pass appropriate orders for sanctioning the retirement benefits to the petitioner as on date of retirement on 30.04.2016, in the post of Assistant Manager (State Express Transport Corporation) with all consequential and other attendant benefits, including regular pension from the date of retirement, by considering the representation submitted by the petitioner, dated 02.07.2018.

For Petitioner : Mr.G.Sankaran
For Respondent-1 : Mr.S.Suresh Kumar
Government Advocate
For Respondents 2 &3 : Mr.P.Kannan Kumar
Standing Counsel

O R D E R

Heard, Mr.G.Sankaran, the learned counsel appearing for the petitioner, Mr.S.Suresh Kumar, learned Government Advocate, who accepts notice on behalf of first respondent and Mr.P.Kannan Kumar, learned Standing Counsel, who accepts notice on behalf of second and third respondents. On consent of the learned counsel appearing for the parties, this Writ Petition is taken up for disposal at the stage of admission.

2. The case of the petitioner is that though he has been allowed to retire from service and disciplinary proceeding pending against him has since been closed, but he has not been released with his retiral benefits. As such, he has made a representation to the second respondent on 02.07.2018. But the same having evoked no response, he has come to file this Writ Petition challenging such inaction of the respondents with a prayer to direct them to pass appropriate orders for release of the retiral benefits including the pension from the date of his retirement.

3. During the course of hearing on admission, the learned counsel appearing for the petitioner submits that though the petitioner has sought for the aforesaid larger relief, but now he wants to confine his prayer for disposal of the petitioner's representation in accordance with law, in a time bound manner.

4. The learned Government Advocate as well as the Standing Counsel appearing on behalf of respective respondents submits that, in view of the order, dated 29.05.2018, the petitioner could not have any grievance, inasmuch as therein it has been clearly mentioned that his terminal benefits shall be paid to him adjusting the total pension paid to him till date.

5. Be that as it may, since the petitioner has not been released with retiral benefits till date, inspite of the aforesaid letter, dated 29.05.2018, and it is stated that his representation in this regard is pending, without expressing any opinion on the merit of such representation, this Court dispose of this Writ Petition with a direction to the third respondent to take an informed and considered decision on such representation of the petitioner and intimate the decision taken thereof to the petitioner within a period of six weeks from the date of receipt of a copy of this order.

6. With the aforesaid order, this Writ Petition stands disposed of. No costs.
sd

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
The State of Tamil Nadu,
Transport Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Managing Director,
State Express Transport Corporation (Tamil Nadu) Ltd.,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.
3. The Administrator,
Tamil Nadu State Corporation
Employees Pension Fund Trust
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

+2ccs to Mr.P.Kannan Kumar, Advocate S.R.No.72777
+1cc to Mr.G.Sankaran, Advocate S.R.No.72614
+1cc to the Government Pleader, S.R.No.73051

KR/14/11/18

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सत्यमेव जयते

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