



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 06.04.2018
CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN
and
THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

C.M.P. (MD) Nos. 568 and 569 of 2018
in
Review Application (MD) SR. Nos. 565 and 569 of 2018
and
Review Application (MD) SR. Nos. 565 and 569 of 2018

C.M.P. (MD) No. 568 of 2018:
and
Review Application (MD) SR. No. 565 of 2018:

1. Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Rep. By its Managing Director,
Kumbakonam,
Thanjavur District.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Trichy District. : Petitioners/Petitioners
Vs.

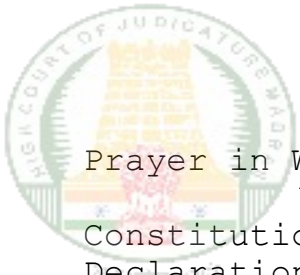
1. S.R. Viswanathan
2. The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002. : Respondents/Respondents

Prayer in C.M.P. (MD) No. 568 of 2018: Petition is filed under Section 5 of the Limitation Act praying to condone the delay of 124 days in filing the Review Application to review the judgment passed in W.A. (MD) No. 886 of 2017, dated 12.07.2017.

Prayer in Review Application (MD) SR. No. 565 of 2018: Review Application is filed under Order 47 Rules 1 and 2 r/w Section 114 of the Code of Civil Procedure praying to review the judgment passed in W.A. (MD) No. 886 of 2017, dated 12.07.2017 and allow the Writ Appeal.

Prayer in WA (MD) No. 886/2017:
<https://hcservices.ecourts.gov.in/hcservices/>

To prefer this Memorandum of Grounds of Writ Appeal against the order passed by Honourable Dr. Justice S. Vimala, dated 03.11.2016 in WP (MD) No. 19730 of 2016.



Prayer in WP(MD). 19730/ 2016 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Declaration declaring the action of the respondents in imposing recovery of Rs.28,494/- on him towards non-implemented punishment of increment cuts and recovering the said amount from his terminal benefits namely leave salary, as illegal, arbitrary and consequently direct the respondents to settle and pay him the said amount with interest at the rate of 18% per annum payable to the petitioner from his date of retirement to till the date of actual payment.

C.M.P.(MD)No.569 of 2018:

and

Review Application (MD) SR.No.569 of 2018:

1.Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Rep. By its Managing Director,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region, Trichy District.

3.The Assistant Manager (Personnel),
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Trichy Region,
Trichy District.

: Petitioners/Petitioners
Vs.

1.K.Bhagavan

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

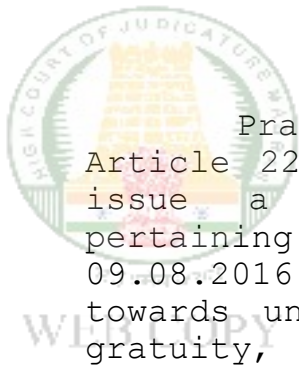
Prayer in C.M.P.(MD)No.569 of 2018: Petition is filed under Section 5 of the Limitation Act praying to condone the delay of 146 days in filing the Review Application to review the judgment passed in W.A. (MD)No.887 of 2017, dated 12.07.2017.

Prayer in Review Application (MD) SR.No.569 of 2018: Review Application is filed under Order 47 Rules 1 and 2 r/w Section 114 of the Code of Civil Procedure praying to review the judgment passed in W.A.(MD)No.887 of 2017, dated 12.07.2017 and allow the Writ Appeal.

Prayer in WA(MD)No.887/2017:-

<https://hcservices.ecourts.gov.in/hcservices/>

To prefer this Memorandum of Grounds of Writ Appeal against the order passed by Honourable Dr. Justice S.Vimala, dated 03.11.2016 in WP(MD)No.20370 of 2016.



Prayer in WP(MD)No.20370/2016: Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining to the impugned order passed by the 3rd respondent dated 09.08.2016 in imposing recovery of Rs.1,60,409/- on petitioner towards unaffected punishment of increment cuts and adjusting my gratuity, bonus and refund of Institute of Road Transport contribution amount towards the above recovery amount quash the same as illegal arbitrary and consequently direct the respondents to settle and pay him all the terminal benefits payable to him including gratuity, monthly pension, bonus, commuted value of pension, refund of Medical, Engineering, Polytechnic colleges and Institute of Road Transport Contribution amounts and pay revision arrears in terms of 12(3) settlement dated 13.04.2015 without any recovery but with interest at the rat of 18% per annum payable to him from the date of retirement .

For Petitioners : Mr.D.Sivaraman
in both Petitions

C O M M O N O R D E R

[Order of the Court was made by K.K.SASIDHARAN, J.]

The learned counsel for the petitioners made an endorsement indicating that in view of the dismissal of the Special Leave Petitions in the connected matters, he is not pressing the applications.

2. In view of the endorsement so made, the Miscellaneous Petitions are dismissed as withdrawn. Consequently, the connected Review Application (MD) SR.Nos.565 and 569 of 2018 stand rejected.

Sd/-

Assistant Registrar(CSIII)

/True Copy/

Sub-Assistant Registrar

+1cc to Mr.D.Sivaraman, Advocate, SR.No.60296

SML

RL/2C/3P/KK/SAR1/28/4/2018

Common order made in

C.M.P. (MD) Nos.568 and 569 of 2018
in

Review Application (MD) SR.Nos.565 and 569 of 2018
and

Review Application (MD) SR.Nos.565 and 569 of 2018