



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.11.2018

CORAM:

THE HONOURABLE JUSTICE DR.G.JAYACHANDRAN

W.P.(MD).No.1455 of 2015

and

M.P.(MD)No.1 of 2015

S.Srinivasagan

... Petitioner

Vs.

1. The Government of Tamil Nadu,
Represented by its
Secretary to Government,
Transport Department,
Secretariat, Chennai - 600 009.

2. The Tamil Nadu State Transported
Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Madurai.

3. The Administrator,
Tamil Nadu State Transport Corporation Ltd.,
Pension Fund Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai- 600 002.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent in Ref:Nirugagam/A5/192/2014, dated 17.01.2015, quash the same in so far as denying voluntary retirement pension to the petitioner and consequently directing the respondents to pay arrears of pension from 01.07.2002 to him with reasonable rate of interest payable to him with effect from 01.07.2002 to the date of actual payment.

For Petitioner : Mr.A.Rahul

For R1 : Mr.J.Gunaseelan Muthiah
Additional Government Pleader

For R2 : No Appearance

For R3 : Mr.A.P.Muthupandian

O R D E R

This Writ Petition has been filed to call for the records pertaining to the impugned order passed by the second respondent in Ref:Niruvagam/A5/192/2014, dated 17.01.2015, quash the same in so far as denying voluntary retirement pension to the petitioner and consequently directing the respondents to pay arrears of



pension from 01.07.2002 to him with reasonable rate of interest payable to him with effect from 01.07.2002 to the date of actual payment.

2. In view of the order passed by the respondent herein accepting the request of Voluntarily Retirement Scheme made by the petitioner herein and sanctioning the pension from the month of May 2015, nothing survives in this Writ Petition.

3. The learned counsel for the petitioner would submit that since there is a delay in settling the pensionary benefit, the respondent is directed to pay interest for the same. The relief sought across the bar is beyond the scope of this Writ Petition. Hence such request cannot be considered in this writ petition.

4. Accordingly, this Writ Petition is dismissed. No order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub Assistant Registrar(CS-III)

To

1. The Secretary to Government,
Transport Department,
Secretariat, Chennai - 600 009.
2. The Managing Director,
The Tamil Nadu State Transported
Corporation (Madurai) Ltd.,
Madurai.
3. The Administrator,
Tamil Nadu State Transport Corporation Ltd.,
Pension Fund Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai- 600 002.

+1 cc To Mr.A.P.Muthupandian, ADVOCATE IN SR NO.97200

+1cc to Special Government Pleader Sr.No.97083

Das

MK/KK/PM/SAR 3/28.12.2018/2P/6C

W.P. (MD) .No.1455 of 2015

and

M.P. (MD) No.1 of 2015

26.11.2018