



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 10.07.2018
CORAM :
THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P(MD)No.14715 of 2018

WEB COPY

U.K.P.Balakrishnan

... Petitioner

Vs.

1.The Management of Tamilnadu
State Transport Corporation
(Kumbakonam) Ltd.,
Karaikudi Region,
rep. by its Managing Director,
Karaikudi.

2.The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai - 2.

... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pay the petitioner forthwith the admitted amount of Rs.4,04,914/- payable towards arrears of pension for the period from April 1999 to July 2015 and also pension commutation under TNSTCEPF Rules, together with 16% per annum.

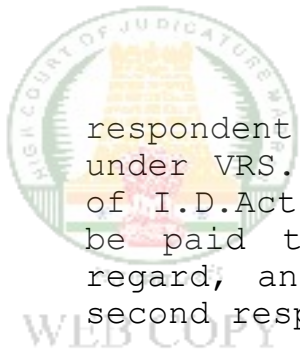
For Petitioner : Mr.S.Arunachalam
For Respondents : Mr.D.Sivaraman, for R1
Mr.A.Muthupandian for R2

O R D E R

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to pay the petitioner forthwith the admitted amount of Rs.4,04,914/- payable towards arrears of pension for the period from April 1999 to July 2015 and also pension commutation under TNSTCEPF Rules, together with 16% per annum.

2.Heard Mr.S.Arunachalam, learned counsel appearing for the petitioner and Mr.D.Sivaraman, learned standing counsel appearing for the first respondent and Mr.A.P.Muthupandian, learned standing counsel appearing for the second respondent.

3.The petitioner was appointed in a Sister Corporation of the first respondent Transport Corporation as Driver on 31.12.1982 and he was made permanent. He had been rendering continuous service for more than 18 years and became Selection Grade Driver in the first



respondent Corporation and he retired from service on 31.03.1999 under VRS. During his service, there was a settlement under 12(3) of I.D.Act and based on which, retiral and pension benefits had to be paid to the employees including the petitioner and in this regard, an amount of Rs.4,04,914/- is still due to be paid by the second respondent to the petitioner.

4.The learned counsel appearing for the petitioner would submit that, in this regard, the petitioner has given a representation on 25.05.2018 to the respondent, especially, the second respondent. However, so far no action was taken. Therefore, the learned counsel appearing for the petitioner would submit that, if a direction is given to the respondent, especially the second respondent, to decide the said representation of the petitioner for disbursement of the said retiral benefits, the petitioner would be satisfied.

5.I have heard the learned standing counsels appearing for the respective respondents, who would submit that the said representation of the petitioner dated 25.05.2018 would be considered on merits and an order to that effect would be passed, within a time frame.

6.Considering the limited scope of the writ petition, this Court is inclined to pass the following order:

"The second respondent is directed to consider the representation of the petitioner dated 25.05.2018, with regard to the grievance of the petitioner for payment of part of retiral benefits and decide the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

7.This writ petition is disposed of with the above direction. No costs.

Sd/
Assistant Registrar(CS-III)

/True copy/

Sub Assistant Registrar(CS-IV)

To
The Administrator,
Tamil Nadu State Transport Employee's Pension Fund Trust,
Thiruvalluvar illam, Anna Salai,
Chennai-2.

+1cc to Mr.S.ARUNACHALAM, Advocate, SR.No. 72172

+1cc to Mr.D.Sivaraman, Advocate, SR.No. 72636

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