



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.16189 of 2013

V.Kannapiran

... Petitioner

Vs.

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

2. The Executive Manager,
Tamilnadu State Transport Corporation,
Chennai.

3. The General Manager,
Tamilnadu State Transport Corporation,
Madurai.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records and quash the impugned order passed by the third respondent in F69545/MU/2013 dated 18.04.2013 and consequently direct the respondents No.2 and 3 to give the Pension to the petitioner on the basis of the earlier service.

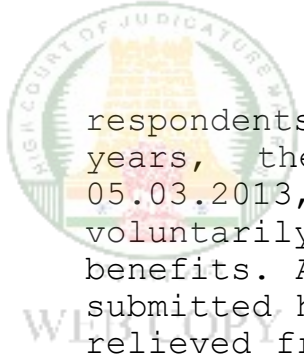
For Petitioner : Ms.P.Thangam
For Respondents 1 & 2 : Ms.VPM.Vaishnavi
Government Advocate

For 3rd Respondent : Mr.A.Jeyaram

ORDER

The order of rejection issued by the third respondent in proceedings dated 18.04.2013 in relation to the claim of the writ petitioner for conversion of the resignation as Voluntary retirement is under challenge in this writ petition.

2.The writ petitioner was appointed as conductor on 07.07.1980 and after rendering 19 years of service the writ petitioner submitted a letter of resignation on 28.06.1999. The letter of resignation submitted by the petitioner had been accepted by the



respondents and he was relieved from service. After a lapse of few years, the writ petitioner again submitted a representation dated 05.03.2013, requesting the authority to modify the resignation as voluntarily retirement so that the petitioner will get pensionary benefits. At the out set, the fact remains that the writ petitioner submitted his resignation on 28.06.1999. it was accepted and he was relieved from service. Thus the application submitted after a lapse of 14 years from the date of resignation was rightly rejected by the respondents. As per the rules resignation amounts to forfeiture of past services. Thus the resignation once accepted cannot be withdrawn. This apart the writ petitioner resigned his job in the year 1999 and made representation for revocation of resignation after a lapse about 14 years and therefore there is no infirmity as such in respect of the impugned order passed. Accordingly, this writ petition stands dismissed. No costs.

Sd/-
Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

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

2. The Executive Manager,
Tamilnadu State Transport Corporation,
Chennai.

+ 1 CC TO Mr.A.RAJARAM, ADVOCATE IN SR No. 51428
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 51985

VSG

TE/KK/SAR-4 : 22/03/2018 : 2P/5C

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