

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2019

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.4929 of 2015
and
M.P.No.1 of 2015

C.Bagavathi Ammal

...Petitioner

Vs.

1. Managing Director,
State Express Transport Corporation,
(Tamil Nadu) Ltd.,
Chennai - 600002.
2. The General Manager,
State Express Transport Corporation,
(Tamil Nadu) Ltd.,
Chennai - 600002.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records Vide Lr.No.053663/WA1/SETCN/2012 dated 19.01.2015 issued by the 2nd respondent and to quash it as arbitrary and illegal and consequently directing the respondent to pay all the retirement benefits, as per revised basic pay of Superintendent post for Rs.14,225/- with 18% interest for belated payment and to refund OD pay for Rs.29,917/- within a time frame.

For Petitioner : Ms.T.Aananthi

For Respondents : Ms.S.Rajini Ramadass

ORDER

This Writ Petition is filed seeking for the following relief:

To call for the records Vide Lr.No.053663/WA1/SETCN/2012 dated 19.01.2015 issued by the 2nd respondent and to quash it as arbitrary and illegal and consequently directing the respondent to pay all the retirement benefits, as per revised basic pay of Superintendent post for Rs.14,225/- with 18% interest for belated payment and to refund OD pay for Rs.29,917/- within a time frame.

2. The learned counsel appearing for the respondents submitted that the petitioner has not come forward to file the pension forms before the respondents and only when she file such forms, the respondents will be in a position to consider the representation of the petitioner and pass appropriate orders on the same. It is also stated by the learned counsel that in fixing the pay to the post of Superintendent is not disputed and therefore, when the pension forms are filed, the same will be considered accordingly.

3. The learned counsel appearing for the petitioner submitted that the petitioner will approach the respondents and file such forms so that the request of the petitioner may be considered and appropriate orders shall be passed by paying the retirement benefits.

4. Needless to say that the request of the petitioner has to be considered by the respondents after receiving the pension forms, by passing appropriate orders without loss of further time.

5. Accordingly, this Writ Petition is disposed of, only by directing the petitioner to file such pension forms within a period of seven days from the date of receipt of a copy of this order. On receipt of such forms, the respondents shall pass appropriate orders within a period of two weeks thereafter. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

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1. Managing Director,
State Express Transport Corporation,
(Tamil Nadu) Ltd.,
Chennai - 600002.

2. The General Manager,
State Express Transport Corporation,
(Tamil Nadu) Ltd.,
Chennai - 600002.

+1cc to Mr.S.Rajeni Ramadass, Advocate Sr.33514

+1cc to Mr.T.Aananthi, Advocate SR.33261

W.P.No.4929 of 2015

srg 29/04/2019



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