

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.09.2019

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.14741 of 2018
and
W.M.P.No.40289 of 2018

A.Baskaran

..Petitioner

vs

1.The Managing Director,
Tamilnadu State Transport Corporation,
Villupuram.

2.The General Manager,
Tamilnadu State Transport Corporation
Cuddalore.

..Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to effect deduction in the Provident Fund periodically as per representation of the Petition dated 29.11.2014.

For Petitioner : Mr.R.Muralidharan

For Respondents : Mr.A.Antony Arockia Raja
for R1 & R2

O R D E R

The relief sought for in the present writ petition is for a direction to direct the Respondents to effect deduction in the Provident Fund periodically as per representation of the Petition dated 29.11.2014.

2. The grievance of the writ petitioner is that the respondents have failed to deduct the Provident Fund periodically, enabling him to get the Provident Fund benefits as per the Provisions of the Act. In this regard, this Court passed an order on 03.09.2019, directing the Managing Director to be present along with the files in view of the fact that the counter affidavit has not been filed.

3. When the matter is called today, Mr.S.Venkatesan,

General Manager, Tamil Nadu State Transport Corporation, Cuddalore / 2nd respondent is present and assisted the learned counsel appearing on behalf of the respondents.

4. The counter affidavit is filed and Paragraph 7 of the counter states that the Management has deducted a sum of Rs.1,62,151/- (Rupees One Lakh Sixty Two Thousand One Hundred and Fifty One only) as a contribution from the petitioner employee under CPS scheme for a period from 22.10.2012 to 30.06.2019. Thus, the allegations set out in the writ petition is incorrect.

5. Further, it is stated that the petitioner attained the age of superannuation and allowed to retire from service on 30.06.2019 and already steps are taken to settle his terminal and pensionary benefits.

6. In view of the fact that the deductions are already made under the statute, more specifically, Provident Fund Scheme, already steps are taken to settle the terminal and retirement benefits, no further adjudication is required and as far as the relief sought for in the present writ petition is concerned, the same had already been complied with by the respondents. The respondents shall take effective steps for early disposal of the terminal and retirement benefits.

7. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (DR CJ conf)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director,
Tamilnadu State Transport Corporation,
Villupuram.

2. The General Manager,
Tamilnadu State Transport Corporation
Cuddalore.

+1cc to Mr.R.Muralidharan, Advocate SR.77436

+1cc to Mr.A.Antony Arockia Raja, Advocate SR.77457

W.P.No.14741 of 2018

Mp (CO)

CB(10/10/2019)