

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :16.10.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 20043 of 2019

K.Ramadoss

..Petitioner

vs

1.The State

Rep. by its Additional Chief Secretary to Government,
Transport Department,
Secretariat,
Chennai - 600 009.

2.M/s.Metropolitan Transport Corporation Ltd.,

Rep. by its Managing Director,
No.2, Pallavan Salai, Chennai - 600 002.

3.M/s.Tamil Nadu State Transport Corporation,

Employees Pension Fund Trust,
Rep. by its Administrator,
No.2, Pallavan Salai,
Chennai - 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 3rd respondent to take in to account of the petitioner's past service from 01.01.1990 to 17.03.2008 for calculation of gratuity and pension by considering the representation of the petitioner dated 25.02.2019 and 04.06.2019.

For Petitioner : Mr.D.Soundar Raj

For Respondent 1 : Mrs.R.Janaki
Additional Government Pleader

For Respondents 2 & 3: Mrs.Rajani Ramadoss

O R D E R

The prayer sought for in this Writ Petition is to direct the 3rd respondent to take in to account of the petitioner's past service from 01.01.1990 to 17.03.2008 for calculation of gratuity and pension by considering the representation of the petitioner dated 25.02.2019 and 04.06.2019.

2. The case of the petitioner is that he was appointed as Assistant Engineer in the year 1989 and he was retired from service on 30.06.2019 on attaining the age of superannuation after serving 29 years of unblemished service. It is his further case that on 13.12.2007 he resigned his job and immediately after resignation he requested the 2nd respondent to cancel his request to continue in service by not taking into account his resignation letter. Thereafter, the petitioner was reinstated in service but his past services were not calculated for the purpose of providing gratuity and pension for which he made representations on 25.02.2019 and 04.06.2019. However, the said representations were not considered. Therefore, the present Writ Petition has been filed.

3. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondents to dispose of the representation dated 04.06.2019 in accordance with law.

4. Considering the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to consider and dispose of the petitioner's representation dated 04.06.2019, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1.The Additional
Chief Secretary to Government,
Transport Department,
Secretariat, Chennai - 600 009.

2.The Managing Director,
M/s.Metropolitan Transport Corporation Ltd.,
No.2, Pallavan Salai, Chennai - 600 002.

3.The Administrator,
M/s.Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
No.2, Pallavan Salai,
Chennai - 600 002.

+lcc to Mr.D.Soundar Raj, Advocate SR.86653
+lcc to Mrs.Rajani Ramadoss, Advocate SR.87458
+lcc to the Government Pleader SR.86902

W.P.No. 20043 of 2019

LN(CO)
CB(26/11/2019)



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