



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2019

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVANW.P(MD) No.5337 of 2019

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J.Kannan

... Petitioner

vs.

1. The Managing Director,
Tamil Nadu Transport Corporation,
Madurai North,
Bypass Road,
Madurai.
2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund,
Pallavan Salai,
Chennai - 2.
3. The State of Tamil Nadu,
rep.by Secretary to Government,
Finance (Pension) Department,
Secretariat,
Fort St. George,
Chennai - 600 009.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to pay the arrears of pension amount, service gratuity and other pending retirement benefits to the petitioner.

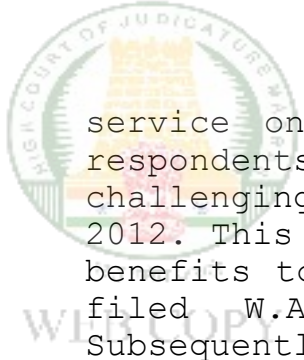
For Petitioner	: Mr.S.Sarvagan Prabhu
For R1 & R2	: Mr.A.P.Muthupandian
For R3	: Mrs.J.Padmavathy Devi
	Special Government Pleader

O R D E R

This writ petition has been filed seeking a direction to the respondents to pay the arrears of pension amount, service gratuity and other pending retirement benefits to the petitioner.

2.Heard the learned counsel appearing for the petitioner; the learned Standing Counsel appearing for the respondents 1 and 2 and the learned Special Government Pleader for the third respondent. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.The case of the petitioner is that the petitioner served as a Conductor in the first respondent Corporation and retired from



service on 31.01.2011. The petitioner made a request before the respondents seeking retirement benefits and the same was rejected, challenging the same, he filed a writ petition in WP(MD)No.15008 of 2012. This Court, directed the respondents therein to pay pensionary benefits to the petitioner. Against the said order, the respondents filed W.A(MD)No.365 of 2018 and the same was dismissed. Subsequently, the respondents disbursed the pension amount, but arrears of pension and gratuity etc., have not been disbursed. Seeking such benefits, the petitioner made a representation dated 21.02.2019 and the same is pending without passing any orders. Hence, the petitioner is before this Court.

4.The learned Standing Counsel appearing for the respondents 1 and 2 and the learned Special Government Pleader appearing for the third respondent submitted that the petitioner's representation would be considered on merits.

5.In view of the above submission, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation dated 21.02.2019 in the light of the orders passed in W.P(MD)Nos.15008 of 2012 and W.A(MD)No.365 of 2018 and pass appropriate orders on merits and in accordance with law, after due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of with the above direction. No costs.

sd/
Assistant Registrar(CS-III)

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu Transport Corporation,
Madurai North, Bypass Road,
Madurai.
2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund,
Pallavan Salai,
Chennai - 2.
3. The Secretary to Government,
State of Tamil Nadu,
Finance (Pension) Department,
Secretariat,
Fort St. George,
Chennai - 600 009.



+1 CC to Mr.S.SARVAGAN PRABHU, Advocate (SR-52212[F] dated 07/03/2019)

+1 CC to SPL GP (SR-52947[F] dated 11/03/2019)

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W.P(MD) No.5337 of 2019
07.03.2019

mj

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