



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD) .No. 1369 of 2019

K. Sureshkumar : Petitioner

Vs.

1. The State of Transport Corporation
Represented by its Assistant General
Manager (Account Section),
Division No.III, Ranithottam,
Nagarcoil.

2. The General Manager,
State Transport Corporation,
Division No.III, Ranithottam,
Nagarcoil.

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the respondents to pay the petitioner the outstanding gratuity amount and other retirement benefits by considering his representation, dated 24.12.2018.

For Petitioner : Mr.G.V.Vairam Santhosh

For Respondents : Mr.K.Sathiyasingh
Standing Counsel

ORDER

This Writ Petition has been filed seeking direction to the respondents to pay the petitioner's retirement benefits by considering his representation, dated 24.12.2018.

2. Mr. K. Sathiyasingh, learned Standing Counsel takes notice for the respondents. By consent of both parties, the instant writ petition is taken up for final disposal at the stage of admission itself.



3. The grievance of the petitioner is that he joined as Conductor in Tamilnadu State Transport Corporation on 15.11.1995 and due to his health condition, he resigned his job voluntary on 31.05.2018. On 11.07.2018, he has received a copy of order from the second respondent by stating that he is qualified to get compensation for 3 years and 7 months and all retirement benefits. He sent representation, dated 24.12.2018 to the second respondent, but no retirement benefit has been settled. Hence, the instant writ petition is filed.

4. Though this petition has been filed seeking for a positive direction against the respondents, according to the learned counsel appearing for the petitioner, the petitioner is satisfied, if a direction is issued to the second respondent, to consider the representation of the petitioner, within the time as fixed by this Court.

5. The learned Standing counsel appearing for the respondents has submitted that the representation of the petitioner will be considered on merits, within a reasonable period.

6. Having regard to the limited scope of the prayer, that is now sought before this Court by the learned counsel appearing for the petitioner, this Court, directs the petitioner to make a representation within a period of One(1) week from the date of receipt of copy of this order to the second respondent. If any such representation made before the second respondent the same shall be considered on merits and in accordance with law, and pass necessary orders, within a period of Four (4) weeks, thereafter.

7. With the above directions, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar(CS-II)

/TRUE COPY/

Sub Assistant Registrar

To

+1 CC to M/s.G.V.VAIRAM SANTHOSH, Advocate (SR-80615[F] dated 08/08/2019)

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06.08.2019

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JM/04.09.2019/2P/2C