



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.08.2019

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.18187 of 2019

D. Gnanasekaran

... Petitioner

Vs.

1. The Government of Tamil Nadu,
rep. by its
Additional Secretary to Government,
Transport Department, Secretariat,
Chennai - 600 009.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Periyamilaguparai,
Trichy.

3.The Administrator,
TNSTC Employees Pension Fund Trust,
Thiruvalluvar House,
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 directing the respondents 2 and 3 to settle the pension arrears from July 2015 to December 2015(6 months) and pension amount for March 2017 and April 2017 (2 months) payable to the petitioner with 18% rate of interest within the time frame that may be stipulated by this Court.

For Petitioner
For R1

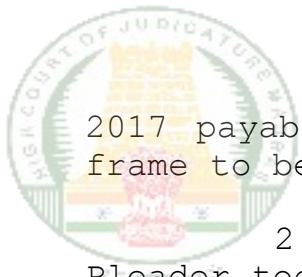
: Mr.N.Sudhagar Nagaraj,
: Mr. Aayiram K. Selvakumar
Additional Government Pleader

For R2 & R3

: Mr. P. Balasubramanian
Standing Counsel

ORDER

This writ petition has been filed for issuing a direction to the respondents 2 and 3 to settle the pension arrears from July 2015 to December 2015 and pension amount for March 2017 and April



2017 payable to the petitioner with 18% interest, within the time frame to be fixed by this Court.

2. Mr.Aayiram K. Selvakumar, learned Additional Government Pleader took notice for the first respondent and Mr. P. Balasubramanian, learned Standing Counsel took notice for the respondents 2 and 3. By consent, the writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he has made a representation, dated 10.12.2018 to the respondents, for settling the pension arrears from July 2015 to December 2015 and pension amount for March 2017 and April 2017 payable to him with 18% interest, but, the same has not been considered by the respondents so far. Hence, the petitioner has filed the present Writ Petition before this Court.

4. Though this petition has been filed to give a positive direction to the respondents, the learned counsel appearing for the petitioner submits that the petitioner will be satisfied, if a direction is issued to the second respondent, to consider the representation of the petitioner, dated 10.12.2018.

5. The learned Standing Counsel appearing for the respondents 2 and 3 would submit that the representation of the petitioner will be considered by the second respondent on merits within a specified time that may be fixed by this Court.

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, without expressing any opinion on the merits of the petitioner's case, directs the 2nd respondent to consider the representation of the petitioner, dated 10.12.2018, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. Needless to say that the petitioner shall forward a copy of the representation along with a copy of this order to the second respondent, to enable him to comply with directions passed by this Court.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar



To

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

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Periyamilaguparai,
Trichy.

3.The Administrator, Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+1 CC to M/s.N.SUTHAGAR NAGARAJ, Advocate (SR-82960[F] dated
22/08/2019)

+1 CC to M/s.P. BALA SUBRA MANIAN, Advocate (SR-83259[F] dated
26/08/2019)

+1 CC to M/s.SPL GP (SR-83338[F] dated 26/08/2019)

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