



EFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2019**

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

W.P. (MD) No.11609 of 2018

and

W.M.P. (MD) No.10578 of 2018

S.Raja

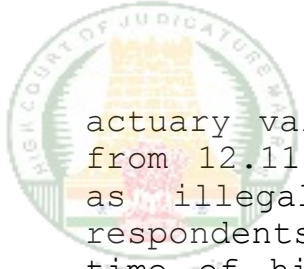
... Petitioner

Vs.

- 1.The State of Tamil Nadu,
represented by its Principal Secretary to Government,
Transport Department,
Secretariat,
Fort St.George,
Chennai 600 009.
- 2.Tamil Nadu State Transport Corporation (Madurai) Ltd.,
represented by its Managing Director,
Bye pass Road,
Madurai 625 016.
- 3.The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
represented by its Managing Director,
Madurai Region,
Bye pass Road,
Madurai 625 016.
- 4.The Administrator,
Tamil Nadu State Transport Corporations Employees' Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai 2.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Declaration, declaring that the Rule 10 (f) (i) of the Tamilnadu State Transport Corporation Employee's Pension Rules claimed to have been amended by the 4th Respondent, requiring the discharged/terminated employees who were/are directed to be reinstated with or without back wages by the Courts and who have been reinstated by the State Transport Corporations, including the 2nd Respondent Corporation, to pay the actuary value, as per the formula provided there under in order to get counted the period of non-employment as contributory/pensionable service and the consequential demand made by the third respondent, directing the petitioner to pay a sum of Rs.9,05,783/- towards



actuary value from him, as a pre-condition to conduct his service from 12.11.1988 to 19.05.1998 as contributory/pensionable service, as illegal and unconstitutional and consequently, direct the respondents to accept the PF contributions received by him at the time of his medical discharge, with 12% compound interest and to count the service from 12.11.1988 to 19.05.1998 as contributory pensionable/service, together with the service as Clerk/Assistant from 20.05.1998 to the date of retirement and sanction him full pension for his entire service from 12.11.1988 to the date of retirement.

For Petitioner : Mr.A.Rahul

For Respondents : Mr.J.Senthil Kumaraiah
Standing Counsel

ORDER

The learned counsel appearing for the petitioner has circulated a letter to the Registry, seeking permission of this Court to withdraw this writ petition and hence, the matter is posted today under the caption "for withdrawal".

2.When the matter is taken up for hearing today, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw this Writ Petition and he has also made an endorsement to that effect.

3.In view of the endorsement made by the learned counsel appearing for the petitioner, this Writ Petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

+1 CC to M/s.J.SENTHIL KUMARAIAH, Advocate (SR-82692[F] dated 21/08/2019)

+1 CC to M/s.A.RAHUL, Advocate (SR-82917[F] dated 22/08/2019)

W.P. (MD) No.11609 of 2018
21.08.2019

mm

JM/22.08.2019/2P-4C