



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.22887 of 2019

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S.Vellaiyan

... Petitioner

-Vs-

1.The Managing Director

Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
27, New Railway Station Road
Kumbakonam 612 001
Thanjavur District

2.The Financial Advisor

Tamil Nadu State Transport Corporation (Kumbakonam) Ltd.,
27, New Railway Station Road
Kumbakonam 612 001
Thanjavur District

3.The Administrator

TNSTC Employees Pension Trust
Thiruvalluvar House
No.2, Pallavan Salai
Chennai 600 002

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits with interest namely Pension Relief Benefit Fund or Employees Recovery Pension Fund (PRBF or ERPS) & also 15 days Earned Leave Surrender Salary for every financial year from the financial year 2010-2011 to the retirement year 2015 for 4 years as 60 days with interest at the rate of 12% in one installment to the petitioner on the basis of the last drawn salary in the month of May 2015 (ie. retirement due date on 31.05.2015) to the petitioner within a stipulated time to be fixed by this Court.

For Petitioner : Mr.K.Gokul

For R1& R2 : Mr.D.Sivaraman

ORDER

The writ petition has been filed for a direction to the respondents to settle the petitioner's retirement benefits with interest namely, Pension Relief Benefit Fund or Employees Recovery Pension Fund (PRBF or ERPS) and also 15 days Earned Leave Surrender Salary for every financial year from the financial year 2010-2011 to



the retirement year 2015 for 4 years as 60 days with interest at the rate of 12% in one installment to the petitioner on the basis of the last drawn salary in the month of May 2015 (ie. retirement due date on 31.05.2015) to the petitioner, within a stipulated time frame as fixed by this Court.

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2.Mr.D.Sivaraman, learned Standing Counsel takes notice for the respondents 1 and 2. By consent of parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner after serving in the respondents Corporation, retired on 31.05.2015 on attaining the age of superannuation. According to the petitioner, the respondents Corporation settled only retirement benefits of Gratuity, Leave Salary and Commutation. The respondents did not pay the other benefits namely, Pension Relief Benefit Fund and earned leave surrender salary. Hence, the petitioner gave a representation to the respondents on 26.08.2019. But, the respondents have not passed any order so far. Hence, the petitioner has come up with the present Writ petition.

4.Considering the nature of relief sought for, without deciding the claim of the petitioner on merits, it is suffice to direct the respondents Corporation to consider the claim of the petitioner and pass orders on merits and in accordance with law, within a period of twelve (12) weeks, from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

Sub Assistant Registrar(CS)

Msa

To

1.The Managing Director
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Kumbakonam 612 001
Thanjavur District



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Thiruvalluvar House
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+1 CC to MR.D. SIVARAMAN, Advocate (SR-95610[F] dated 01/11/2019)

+1 CC to MR.K.GOKUL, Advocate (SR-95776[F] dated 04/11/2019)

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01.11.2019

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