



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P.(MD) No.23357 of 2019

WEB COPY

D.Muruga Adaikkalam

... Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
27, New Railway Station Road,
Kumbakonam-612 001, Thanjavur District.

2.The Financial Advisor,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
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 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 2011 for 6 years as 90 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 April, 2017 (ie. Retirement due date on 30.04.2017) to the petitioner within a stipulated time frame as fixed by this Court.

For Petitioner : Mr.K.Gokul
For R1 and R2 : Mr.P.Balasubramanian

ORDER

This Writ Petition is filed to direct 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 2011 for 6 years as 90 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 April, 2017 (ie. Retirement due date on 30.04.2017) to the petitioner, within a stipulated time frame as fixed by this Court.

2.Mr.P.Balasubramanian, learned counsel takes notice on behalf of the respondents 1 and 2. Notice to the third respondent is dispensed with, since no adverse order is going to be passed against the third respondent. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, he joined as Commercial Apprentices in the respondent Corporation on 11.06.1981 and his service has been regularised as Junior Assistant with effect from 17.06.1986. Subsequently, he was promoted as Senior Superintendent and retired from service on 30.04.2017, on attaining the age of superannuation. After retirement, the respondents have not settled the Retirement Pension Relief Benefit Fund or Employees Recovery Pension Fund (PRBF or ERPS) and 15 days earned leave surrender salary for the financial year from the years 2010 to 2017 ie., for 6 years. In this regard, he sent a representation dated 05.10.2019 to the respondents. However, till date, no order has been passed. Hence, the petitioner has come out with the present Writ Petition.

4.Considering the nature of relief sought for in the Writ Petition, this Court directs the respondents to consider the representation of the petitioner dated 05.10.2019, on merits and pass appropriate orders, in accordance with law, within a period of twelve 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 (co)

// True Copy //

Sub Assistant Registrar(CS)

Myr

+1 CC to Mr.K.GOKUL, Advocate (SR-96405[F] dated 06/11/2019)

+1 CC to Mr.P.BALASUBRAMANIAN, Advocate (SR-96457[F]dated 06/11/2019)

W.P. (MD) No.23357 of 2019

06.11.2019