

HON'BLE SRI JUSTICE ABHINAND KUMAR SHAVILI

WRIT PETITION No.23329 of 2019

ORDER:

This writ petition is disposed of at the stage of admission, with the consent of both the parties.

2. This writ petition is filed seeking a writ of Mandamus, declaring the action of respondents 1 to 3 in not releasing the retirement benefits of the petitioner, as illegal, arbitrary and violative of Articles 14 and 16 of the Constitution of India, and sought a consequential direction directing respondents 1 to 3 to release all the retirement benefits of the petitioner.

3. Heard Sri Ch.Ravinder, counsel for petitioner and Sri N.Vasudeva Reddy, Standing Counsel for TSRTC.

4. It has been contended by the petitioner that he is a retired Driver and the grievance of the petitioner is that though he has retired, respondents 1 to 3 are not settling his pensionary benefits in accordance with law only on the ground that the petitioner stood as a guarantor in respect of loan obtained by a co-employee to the tune of Rs.1,77,204/-. He contended that let respondents 1 to 3 consider the request of the petitioner for releasing of retiral benefits by withholding the amount of Rs.1,77,204/- and the said amount can be released in favour of the petitioner after the petitioner's pursuing his legal remedies in accordance with law. When the respondents are not considering the case of the petitioner, the petitioner has submitted a representation on 17.09.2019 requesting the respondents to release his retiral benefits in accordance

with law by withholding the amount of Rs.1,77,204/-, but so far, the respondents have not passed any orders on the said representation nor released the retiral benefits of petitioner by withholding Rs.1,77,204/-. Therefore, counsel for petitioner contends that appropriate orders be passed in the writ petition directing the respondents to consider the case of the petitioner for release of retiral benefits by duly considering his representation dated 17.09.2019 pending with the respondents.

5. The Standing Counsel appearing for respondents has contended that the case of the petitioner would be considered and appropriate orders would be passed on the representation dated 17.09.2019 submitted by the petitioner.

6. This Court, having considered the rival submissions made by the parties, is of the considered view that this writ petition can be disposed of directing respondent No.3 to consider the representation submitted by the petitioner on 17.09.2019 and pass appropriate orders in accordance with law within a period of Eight weeks from the date of receipt of a copy of this order.

7. With the above directions, the writ petition is disposed of. No order as to costs.

Pending miscellaneous applications, if any, shall stand closed.

ABHINAND KUMAR SHAVILI, J

30th December, 2019
ajr