

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2020

CORAM:

THE HONOURABLE Mr. JUSTICE N. ANAND VENKATESH

W.P.NO.2471 of 2020

K. Murugesan

... Petitioner

-Vs-

1. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram-III) Ltd.,
Thiruvannamalai Region
Bye Pass Road, Thiruvannamalai
 2. The Administrator
Tamil Nadu Transport Corporation
Employees' Pension Fund Trust
Pallavan Salai, Chennai 600 002.
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue appropriate writs, orders or directions and issue a Writ in the nature of Writ of Mandamus to direct the first respondent to settle the terminal benefits to the petitioner such as PF, Gratuity and leave encashment with a direction to the second respondent to sanction of pension under 1998 Pension Scheme.

For Petitioner : Mr.S.T. Varadarajalu

For Respondents : Mr. C.S.K. Sathish
Standing Counsel.

WEB COPY
ORDER

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to settle the terminal benefits of the petitioner.

2. The case of the petitioner is that he joined in the Transport Corporation in the year 1988 on daily wages and that his services were regularised in the year 2005. On completion of

21 years of service, the petitioner has retired on 30.06.2019. The grievance of the petitioner is that the petitioner had contributed towards Employees' Provident Fund from 1988 onwards and therefore, he is entitled to get monthly pension under the Tamil Nadu State Transport Corporation Employees' pension Scheme. That apart, the petitioner is also claiming for other terminal benefits. The petitioner has given a representation in this regard on 20.10.2019. Since the same was not considered, the present Writ Petition has been filed before this Court.

3. Heard Mr.S.T. Varadarajalu , learned counsel for the petitioner and Mr. C.S.K. Sathish, learned counsel for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, there shall be a direction to the first respondent to consider the representation made by the petitioner on 20.10.2019 and settle the Provident Fund, Gratuity and any other contribution that has been made by the petitioner towards any fund, with 6% interest per annum in 12 installments on or before 10th of every month starting from March 10, 2020. The first petitioner shall also consider the claim made by the petitioner towards pension and Earned Leave encashment and pass appropriate orders in accordance with the Regulations, within a period of six(6) weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of this order.

5. This Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(CS)

//True copy//

Sub Assistant Registrar

bga

Copy to

1. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram-III) Ltd.,
Thiruvannamalai Region
Bye Pass Road, Thiruvannamalai

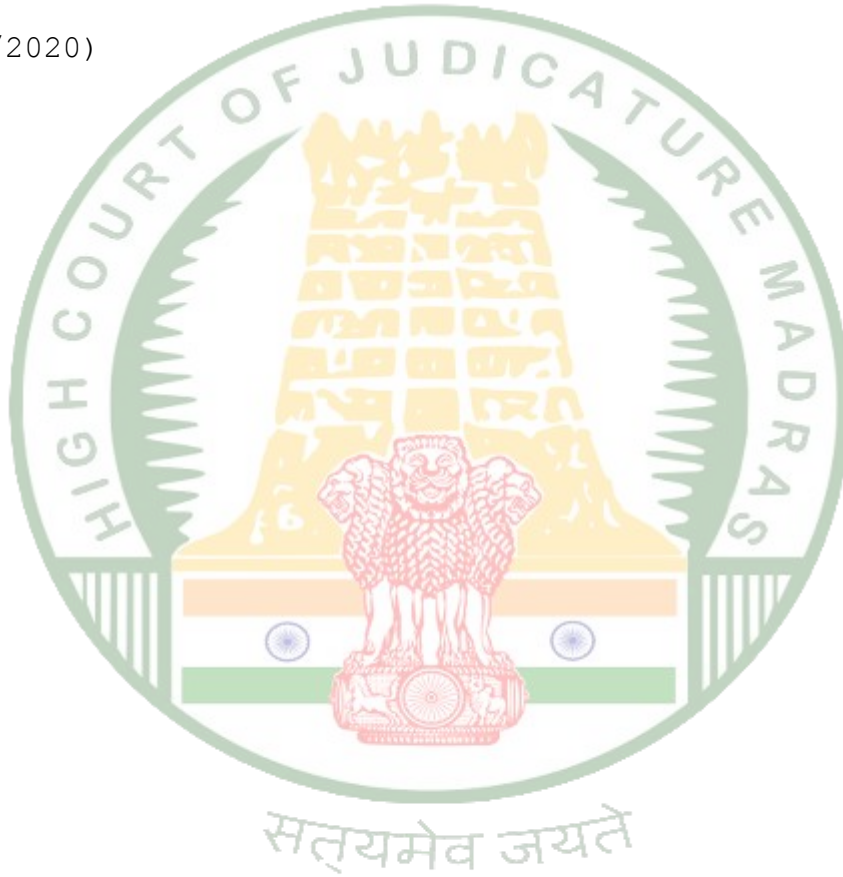
2. The Administrator
Tamil Nadu Transport Corporation
Employees' Pension Fund Trust
Pallavan Salai, Chennai 600 002.

+1cc to Mr.C.S.K. Sathish, Advocate SR.No.14025

+1cc to Mr.S.T. Varadarajalu, Advocate SR.No.13867

W.P.NO.2471 of 2020

GMV (18/03/2020)



WEB COPY