

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.4095 of 2020
and W.M.P No.4770 of 2020

S.Ramasamy

Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem Division),
No.12, Ramakrishna Salai, Salem-7.
2. The Branch Manager,
Tamil Nadu State Transport Corporation (Salem Division),
No.12, Ramakrishna Salai,
Salem-7.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent to settle the retirement benefits and legally payable with 18% interest based on the representation of the petitioner dated 02.01.2020 within the stipulated time.

For Petitioner : Mr.N.Umapathi
For Respondents : Mr.D.Raghu
Standing Counsel

O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the 1st respondent to settle the retirement benefits to the petitioner based on the representation made by the petitioner on 02.01.2020.

2.The case of the petitioner is that he was working as a Branch Manager in the respondent transport Corporation. A charge memo came to be issued against the petitioner and departmental enquiry was conducted and the same resulted in punishment of stoppage of increment for one year with cumulative effect. Aggrieved by the same, the petitioner preferred statutory appeal and the appellate authority passed an order dropping all the

charges against the petitioner and thereby the punishment was set aside. This was informed by the department to the petitioner on 21.07.2017.

3.The petitioner, thereafter, attained the age of superannuation on 30.05.2018 and he was allowed to retire. Since the retiral benefits was not settled to the petitioner, he filed W.P.No.30053 of 2018 before this Court and this Court by an order dated 15.11.2018, directed the respondents to settle the entire retirement benefits in installments. The said order passed by this Court was complied with and the petitioner has been paid a part of the retiral benefits.

4.The grievance of the petitioner is that there are certain remaining amounts that are due and payable to the petitioner and the petitioner, by representation dated 02.01.2020, brought to the notice of the respondents regarding the pending payment which are yet to be received by the petitioner. Since, no action was taken on the representation, the present writ petition has been filed before this Court.

5.Heard Mr.N.Umapathi, learned counsel appearing on behalf of the petitioner and Mr.D.Raghu, learned Standing Counsel appearing on behalf of the respondents.

6.Taking into consideration the facts and circumstances of the case and the materials placed before this Court and after considering the relief that has been sought for, there shall be a direction to the 1st respondent to consider the representation made by the petitioner on 02.01.2020 and pass appropriate orders strictly in accordance with law, within a period of six weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 1st respondent along with a copy of the representation dated 02.01.2020 and a copy of this order.

7.This writ petition is disposed of with the above directions. No Costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

To

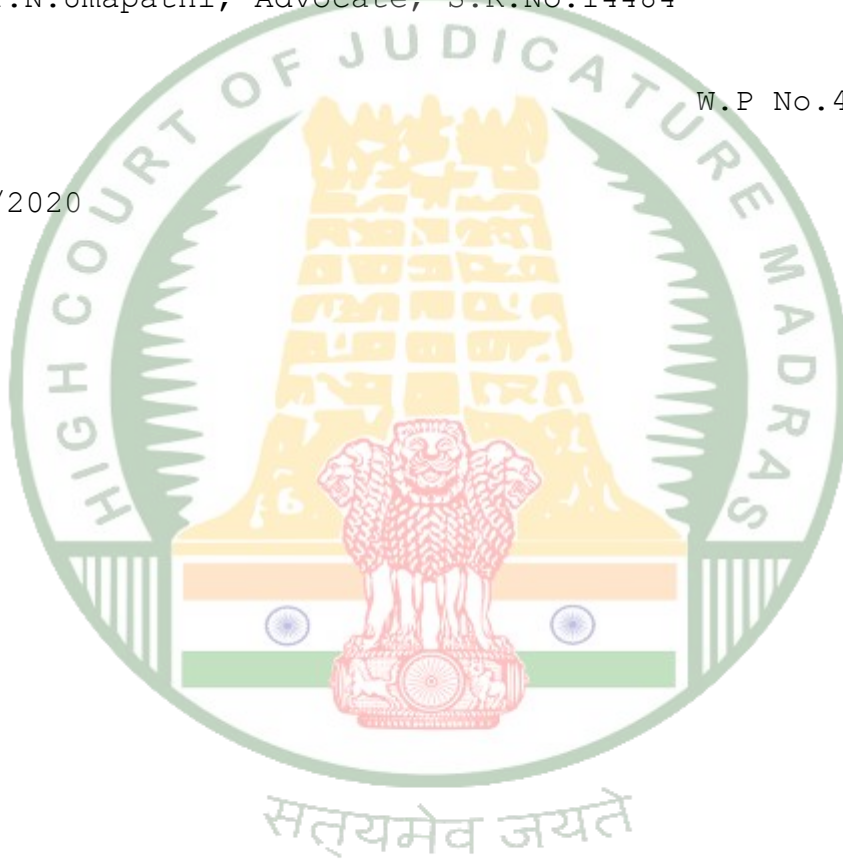
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+1cc to Mr.D.Raghu, Advocate, S.R.No.14621

+1cc to Mr.N.Umapathi, Advocate, S.R.No.14484

W.P No.4095 of 2020

VG II (CO)
KKV/12/08/2020



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