

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.02.2020

CORAM

THE HONOURABLE Mr.JUSTICE N.ANAND VENKATESH

WP.No.17375 of 2018

and

WMP.No.20632 of 2018

V.Gunasekaran

... Petitioner

- Vs -

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
(CBE-II), Cheniamalai Road,
Erode, Erode District.

2. The General Manager,
Tamil Nadu State Transport Corporation,
(Coimbatore Ltd.,)
(CBE-II) Cheniamalai Road,
Erode, Erode District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to calculate the pension benefits by taking note of the continuity service from the period of 2011 to 2017 and disburse the same along with arrears of the salary, gratuity and Provident Fund, Earned Leave and Unearned Leave on private affairs to the petitioner.

For Petitioner : Mrs.Hemalatha
for Mr.C.Prakasam

For Respondents: Mr.K.J.Sivakumar
Standing Counsel

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to calculate the pension benefits by taking note of the period from 2011 to 2017 and to disburse the arrears of Salary, Gratuity, Provident Fund, Earned Leave and Unearned Leave.

2. The case of the petitioner is that he was appointed as a Conductor in the respondents-Corporation. While on service, he met with an accident and as a result of the same, he was not able to perform the duties of the Conductor and he approached the respondents and sought for light work. The petitioner approached this Court in this regard and filed a writ petition in WP.No.27293 of 2016 and this Court disposed of the writ petition by directing the respondents to consider the request made by the petitioner. However, the petitioner was not provided any light work and ultimately, the petitioner attained superannuation on 30.04.2017.

3. The grievance of the petitioner is that he is entitled for the salary for the period from 2011 to 2017 and also for pension by taking into consideration the entire period during which, he was in service till 30.04.2017. The petitioner made a representation in this regard to the respondents. Since the same was not considered, the present writ petition has been filed before this Court.

4. The learned counsel appearing on behalf of the respondent-Corporation produced the proceedings of the second respondent dated 21.08.2019 and submitted that the terminal benefits of the petitioner will be settled.

5. Taking into consideration the facts and circumstances of the case, there shall be a direction to the respondents to consider the request made by the petitioner to settle all his terminal benefits in line with the letter dated 21.08.2019 of the second respondent, within a period of six (6) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondents along with the copy of this order.

6. This Writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
(CBE-II), Cheniamalai Road,
Erode, Erode District.
2. The General Manager,
Tamil Nadu State Transport Corporation,
(Coimbatore Ltd.,)
(CBE-II) Cheniamalai Road,
Erode, Erode District.

+1cc to Mr.K.J.Sivakumar, Advocate Sr.11209
+1cc to Mr.C.Prakasam, Advocate Sr.11055

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srg 13/02/2020

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