



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.15195 of 2020

R.Selvasekaran

... Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Transport Corporation (KUM) Ltd.,
New Railway Station Road,
Kumbakonam,
Thanjavur District-612 001.

2. The General Manager,
Tamilnadu State Transport Corporation (KUM) Ltd.,
Karaikudi Region,
Mardhupathi, Managiri Post,
Sivagangai District.

3. The Financial Adviser,
Tamilnadu State Transport Corporation,
Employees Pensions Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

... Respondents

PRAYER : This Writ Petition filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the respondents to settle the petitioner's difference in commutation amount of Rs.5,00,000/- together with interest at the rate of 18% per annum payable from 30.06.2017, the date of the retirement of the petitioner till the date of actual payment.

For Petitioner : Mr.K.Gokul
For R-1 and R-2 : Mr.P.M.Vishnu Varathanan
Standing Counsel

O R D E R

This Writ Petition has been filed to direct the respondents to settle the petitioner difference commutation amount of Rs.5,00,000/- together with interest at the rate of 18% per annum payable from 30.06.2017, the date of the retirement of the petitioner to till the date of actual payment.



2. According to the petitioner, he was retired from service on 30.06.2017 and the petitioner is entitled to get difference in commutation amount of Rs.5,00,000/-. As per the settlement, the respondent is detecting a sum of Rs.973/- towards commutation. But the respondents without paying a sum of Rs.5,00,000/-, they have started to detect a sum of Rs.973/- from the date of retirement of the petitioner on 30.06.2017. Therefore, he made a representation to the respondents on 30.09.2020 to disburse the difference commutation amount of Rs.5,00,000/- along with interest. However, the respondents have not taken any steps to pay the commutation amount till date. Hence, he approaches this Court to pass appropriate order.

3. The learned Standing Counsel appearing for the respondents 1 and 2 would fairly submit that the proposal for settlement of commutation amount to the petitioner has been forwarded to the third respondent/Pensions Fund Trust and it is for the third respondent to pay the commutation amount of Rs.5,00,000/-.

4. Considering the submissions made by the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the respondents 1 and 2, this Court directs the third respondent to dispose of the petitioner's representation dated 30.09.2020 and to take necessary steps to disburse the difference in commutation amount of Rs.5,00,000/- along with interest within a period of four 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 (CS-III)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:-

The Financial Adviser,
Tamilnadu State Transport Corporation,
Employees Pensions Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-2.

+1 CC to Mr.K.GOKUL, Advocate SR-20929.

+1 CC to Mr.P.M.VISHNUVARTHANAN, Advocate SR-20971.

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03.11.2020

SS (CO)
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