



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :03.11.2020

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WEB COPY

THE HONOURABLE MR.JUSTICE **KRISHNAN RAMASAMY**

W.P. (MD) No.15243 of 2020

T.Krishnamoorthy

...Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Transport Corporation
(Kumbakonam) Ltd.,
New Railway Station Road, Kumbakonam,
Thanjavur District - 612 001.
2. The General Manager,
Tamilnadu State Transport Corporation
(Kumbakonam) 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: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to settle the petitioner's difference commutation amount of Rs.5,00,000/- together with interest at the rate of 18% per annum payable from 30.6.2017 the date of the retirement of the petitioner to till the date of actual payment.

For Petitioner	: Mr.K.Gokul
For R1 & R2	: Mr.P.M.Vishnuvarthan
	Standing Counsel

ORDER

This Writ Petition is filed to direct the respondents to settle the petitioner's difference commutation amount of Rs.5,00,000/- together with interest at the rate of 18% per annum payable from the date of the petitioner's retirement.



2.By consent of both parties, the writ petition is taken up for final disposal at the stage of admission itself.

3.It is the grievance of the petitioner that he was working as Senior Conductor in the respondent Corporation. Though the petitioner was retired from service on 30.06.2017, he was not paid with difference commutation amount of Rs.5,00,000/- with interest and the respondent Corporation has also recovered a sum of Rs.904/- per month from the petitioner's pension amount.

4.By narrating the aforesaid facts, the petitioner has made a representation dated 01.10.2020 through RPAD before the respondents, but no action has been taken so far. Hence, the petitioner is before this Court with the relief stated supra.

5.Mr.P.M.Vishnuvarthan, learned Standing Counsel appearing for the respondents 1 and 2 would fairly submit that the respondents 1 and 2 have already sanctioned the said commutation amount to the 3rd respondent for payment of the same to the petitioner and that the 3rd respondent is the competent authority to disburse the said amount and to dispose of the petitioner's representation dated 01.10.2020. He would further submit that the petitioner's representation dated 01.10.2020 will be disposed of by the 3rd respondent within a period of eight weeks.

6.In view of the submissions made by the learned counsel for the petitioner and the learned standing counsel for the respondents 1 and 2, this Court directs the 3rd respondent to consider the petitioner's representation dated 01.10.2020 and pass appropriate orders on merits and 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 direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (C.O)

// 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-20932[F] dated 03/11/2020)

W.P. (MD) No.15243 of 2020
03.11.2020

PM(CO)
CS(30.11.2020) 3P 3C