



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.15382 of 2020

WEB COPY

B.Balasankar

... Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli.

2. The General Manager,
Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region,
Kanyakumari District.

3. The Administrator,
Tamilnadu State Transport Corporation Employees
Pension Fund Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai-2.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the respondents to settle the pensionary benefits for 30 years of service from the date of appointment on 21.06.1988 till the date of retirement on 31.08.2018 instead of 29 years of service along with arrears of pensionary benefits with 18% interest.

For Petitioner : Mr.S.Govindan
For Respondents : Mr.R.Rajamohan
Standing Counsel

O R D E R

This Writ Petition has been filed to direct the respondents to settle the pensionary benefits for 30 years of service from the date of appointment on 21.06.1988 till the date of retirement on 31.08.2018 instead of 29 years of service along with arrears of pensionary benefits with 18% interest.

2.According to the petitioner, he was retired from service on 31.08.2018 and he is entitled for 30 years of pensionary benefit, whereas it was wrongly determined only for 29 years. Therefore, he has made a representation on 12.10.2020 to pay the pensionary benefits for 30 years instead of 29 years. However, the respondent has not taken any steps till date. Hence, he approaches this Court to pass appropriate orders.



3.The learned Standing Counsel appearing for the respondents 1 and 2 would fairly submit that the representation of the petitioner will be considered on merits and in accordance with law.

4.In view of the submissions made by the learned counsel appearing on either side, this Court directs the respondents to dispose of the representation of the petitioner, dated 12.10.2020 within a period of two months from the date of receipt of a copy of this order and thereafter, to disburse the difference in pensionary benefits that has been arrived by virtue of disposal of the representation within a period of two months.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

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:

1. The Managing Director,
Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Tirunelveli.
2. The General Manager,
Tamilnadu State Transport Corporation (Tirunelveli) Ltd.,
Nagercoil Region, Kanyakumari District.
3. The Administrator,
Tamilnadu State Transport Corporation Employees
Pension Fund Trust, Thiruvalluvar Illam,
Pallavan Salai, Chennai-2.

+1 CC to Mr.R.RAJAMOHAN, Advocate (SR-21239[F] dated 05/11/2020)

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04.11.2020

BUC (CO)

CS(20-11-2020)-2P 5C
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