



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.19247 of 2020

G.Murugesan

... Petitioner

Vs.

1.The Managing Director,

Tamilnadu State Transport Corpn., (MDU) Ltd.,
Bye-pass Road,
Madurai-625 010.

2.The Administrator,

TNSTC Employees Pension Trust,
Thiruvalluvar House,
No.2, Pallavan Salai,
Chennai-600 002.

3.The General Manager,

Tamilnadu State Transport Corpn., (MDU) Ltd.,
Dindigul Region Bye-pass Road,
Dindigul.

... 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 petitioner's ERPS (Employees Retirement Pension Scheme) amount for the period from 01.09.1992 to till the date on 31.12.2014 and surrender leave salary for 45 days in respect of the years 2011-2012, 2012-2013 and 2013-2014, together with interest at the rate of 6% per annum payable as per court direction, in one instalment to the petitioner according to the last drawn salary in the month of December 2014 to the petitioner as per the representation date on 24.10.2020, within a stipulated time frame as fixed by this Court from the date for retirement to till the date of actual payment.

For Petitioner : Mr.K.Gokul

For Respondents : Mr.J.Senthilkumariah
Standing Counsel



O R D E R

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

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2.The writ petition has been filed to direct the respondents to settle the petitioner's ERPS (Employees Retirement Pension Scheme) amount for the period from 01.09.1992 to till the date on 31.12.2014 and surrender leave salary for 45 days in respect of the years 2011-2012, 2012-2013 and 2013-2014, together with interest at the rate of 6% per annum.

3.The learned counsel appearing for the petitioner would submit that the petitioner joined the service in the respondent corporation on 16.06.1981 and he was retired from service on 31.12.2014. However, the petitioner's ERPS amount recovered for the period from 01.09.1992 to till the date on 31.12.2014 and surrender leave salary for the period from 2011 to 2014 (45 days) have not been disbursed by the respondents. In this regard, the petitioner made a representation on 24.10.2020. The said representation has not been considered by the respondents till date. Hence, without any other options, the petitioner approached this Court by way of present writ petition for appropriate directions.

4.The learned Standing Counsel appearing for respondents would fairly submit that representation of the petitioner will be disposed of within a period of eight weeks on merits and in accordance with law.

5.In view of the submissions made by the learned counsel appearing on either side, this Court directs the respondents to consider the petitioner's representation dated 24.10.2020 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order on merits and in accordance with law.

6.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



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 Corpn., (MDU) Ltd.,
Bye-pass Road,
Madurai-625 010.
- 2.The Administrator,
TNSTC Employees Pension Trust,
Thiruvalluvar House,
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- 3.The General Manager,
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Dindigul Region Bye-pass Road,
Dindigul.

+1 cc to Mr.k.GOKUL ,Advocate, SR No. 27010

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