



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.09.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P. No.22575 of 2009

A.Simon

...Petitioner

Vs

The Managing Director,
Tamil Nadu State Transport Corporation
Coimbatore Limited,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

...Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus calling for the records of the respondent relating to the impugned order No.6206/Vai-Nee6/Tha.Aa.Po.Ka/Kovai/2009 dated 23.09.2009 and to quash it as arbitrary and ultravires and consequently directing the respondent to pay the petitioner the commuted value of pension of Rs.1,61,084.40 due in the month of August 2007 with 18% within October 2009 and also pay along with that interest at 18% calculated for the illegal recovery of Rs.1114/- made in way month pension starting from August 2007 and ending September 2009.

For Petitioner : Mr.R.Y.George Williams

For Respondents : Mr.Arun
for Mr.A.Sundaravadanam

O R D E R

The petitioner has challenged order dated 23.09.2009 rejecting the petitioners' representations dated 17.07.2008 and 19.02.2009 seeking payment of commutation of pension.

2. When the matter was called on 07.09.2021, Mr.Arun, learned counsel appearing for Mr.A.Sundaravadanam, learned counsel for the respondent Tamil Nadu State Transport Corporation would submit that on 07.12.2009, the amount has, in



fact, been paid vide cheque bearing No.761067 dated 03.12.2009 for an amount of Rs.1,56,807/-.

3. Learned counsel was asked whether the cheque has been encashed by the petitioner and given a day's time to confirm the same. Today he confirms that the cheque has been encashed by the petitioner. Mr.George Williams, learned counsel for the petitioner concurs with this position.

4. Thus recording the aforesaid position and as the impugned order has no further effect, this Writ Petition is closed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

sl

To

The Managing Director,
Tamil Nadu State Transport Corporation
Coimbatore Limited,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

+1cc to Mr.R.Y.George Williams, Advocate Sr No.45949

W.P. No.22575 of 2009

PL (CO)
PR (27/09/2021)