

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.19267 OF 2015

K.Sundaramurthy

... Petitioner

Vs.

1. The Managing Director,
Metropolitan Transport Corporation,
Anna Salai, Pallavan Illam,
Chennai - 600 002.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to pay backwages from the date of dismissal to the date of retirement and pension and other terminal benefits to the petitioner.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents Nos.1 & 2: Mr.K.Murthy

सत्यमेव जयते
O R D E R

The petitioner has filed this writ petition seeking direction to the respondents to pay backwages from the date of dismissal to the date of retirement and pension and other terminal benefits to the petitioner.

2.The case of the petitioner is that he joined the services of the respondent on 16.05.1975. He was dismissed from service on 14.08.2007. According to the petitioner, the respondent did not seek approval for dismissal, hence, he is entitled for reinstatement with backwages and with continuity of service and since he attained superannuation on 15.05.2011, he is entitled to get backwages from the date of dismissal to the date of

retirement and pension and other terminal benefits. In this regard, he made representation dated 15.04.2014 to the respondents and since the same has not yet been considered, has filed this writ petition.

3.The learned counsel appearing for the petitioner submitted that though this writ petition has been filed seeking direction to the respondents to pay backwages from the date of dismissal to the date of retirement and pension and other terminal benefits, the petitioner would be satisfied, if a direction is given to the respondents to consider his claim for settlement of pension and other terminal benefits.

4.In view of the above, this Court directs the respondents to consider the petitioner's claim for settlement of pension and other terminal benefits 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.

5.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director,
Metropolitan Transport Corporation,
Anna Salai, Pallavan Illam,
Chennai - 600 002.

2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Pension Fund, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.K.Murthy, Advocate, S.R.No.13252

+1cc to Mr.S.T.Varadarajulu, Advocate, S.R.No.12854

W.P.No.19267 of 2015

GPL(CO)
CS/24/03/2021