

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.9891 of 2014

S.Rathinapandian

... Petitioner

Vs.

1. The Principal Secretary to Government,
The state of Tamil Nadu, Transport Department,
Secretariat, Fort St. George, Chennai - 600 009.
 2. The Managing Director,
State Express Transport Corporation,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.
 3. The Administrator,
Tamil Nadu State Transport Employees Pension Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai - 600 002.
 4. The Financial Advisor & Chief Accounts Officer,
State Express Transport Corporation,
Pallavan Salai, Chennai - 600 002.
- ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to settle the retirement benefits to the petitioner including regular pension on the date of retirement on 30.06.2013 along with interest by considering the representation made by the petitioner dated 03.03.2014, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.J.Ramesh

Additional Government Pleader - R1
Mr.K.Kathiresan - R2 to R4

ORDER

This writ petition has been filed to direct the respondents to consider the representation made by the petitioner dated 03.03.2014 and settle the retirement benefits including regular

pension on the date of retirement on 30.06.2013 along with interest.

2. It is the case of the petitioner that he was appointed as a driver on 05.06.1986 in erstwhile Tiruvallur Transport Corporation, which was renamed as State Express Transport Corporation; and was permitted to retire from service on 30.06.2013 on attaining the age of superannuation. According to the petitioner, he married to one Kamala in the year 1983 but she deserted him during the year 1989. However, she filed a Civil Suit in O.S.No.38 of 2013 before the District Court Karaikal, after retirement of the petitioner, claiming maintenance and the said suit is pending. In view of the same, the respondent Corporation is not disbursing the retirement benefits due to the petitioner which is arbitrary and illegal. Hence, the petitioner made a representation to the respondents on 03.03.2014 seeking early settlement of his retirement benefits. Finding no response on the same, he has come up with the present writ petition for the aforesaid relief.

3. Heard both sides and perused the materials placed before this Court.

4. Considering the limited relief sought for herein, this Court without going into the merits of the case, directs the respondents to consider the representation of the petitioner dated 03.03.2014, if not already considered and pass appropriate orders, in accordance with law, within a period of eight (8) 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

vrc

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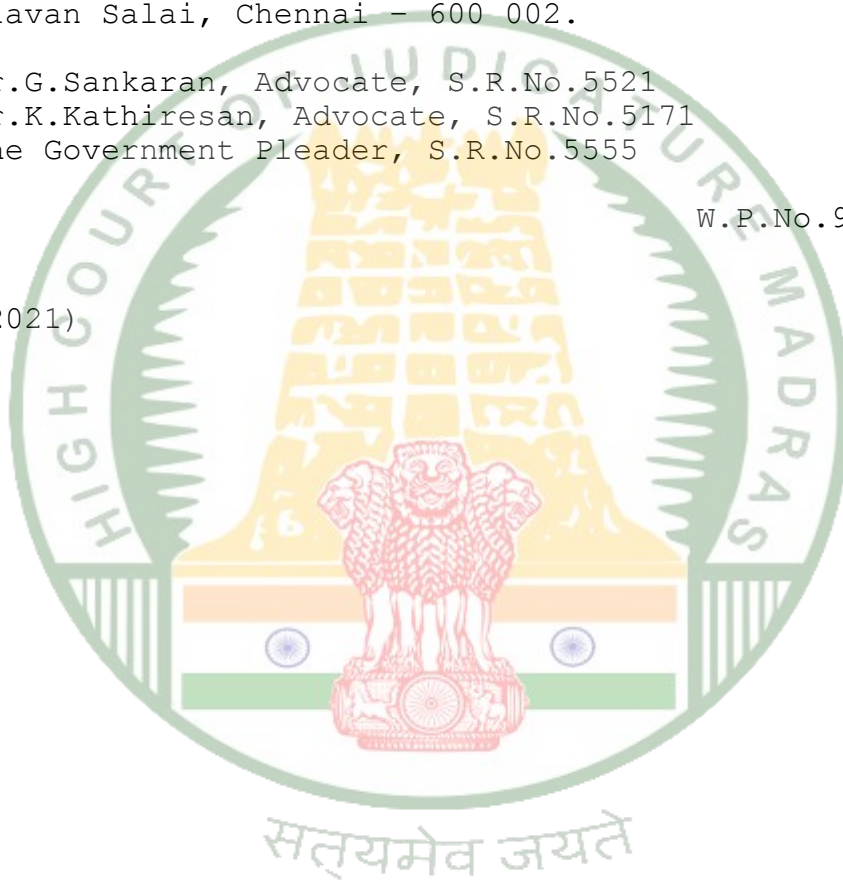
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+1cc to Mr.G.Sankaran, Advocate, S.R.No.5521
+1cc to Mr.K.Kathiresan, Advocate, S.R.No.5171
+1cc to the Government Pleader, S.R.No.5555

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RSV(CO)
CB(21/06/2021)



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