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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.09.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.20688 of 2021

(Through Video Conferencing)

Pokkuvarathukazhaka oyvupetra Aluvalarnala Sangam,
Kovai, (Regd.No.269/2011),
Represented by its Secretary,
K.S.Shanmugavelayutham,
B-25, Cheran Colony, Thudiyalur Post,
Coimbatore - 641 034.

... Petitioner

Vs

1. M/s.The State of Tamil Nadu,
Represented by its Chairman of State Transport
Undertakings and Additional Chief Secretary
to Government, Transport Department,
Chennai - 600 009.
2. M/s.Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
Represented by its Managing Director,
No.37, Mettupalayam Road, Coimbatore - 641 043.
3. M/s.Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Represented by its Administrator,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second and third respondents herein to settle the Terminal Benefits to (1) S.Sureshkumar (2) A.Sakthivel Raja (3) S.Vellingiri (4) Padma Suganthi, W/o (Late) S.Kanda Manoharan and (5) R.Sayeeekrishnan the five members list enclosed herewith out of total 193 members of the petitioner Association herein and consequently direct the second and third respondents herein to settle the arrears of Terminal Benefits and pension with 6% interest.

For Petitioner : Mr.D.Soundar Raj



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For Respondents:

For R1 : Mr.L.S.M.Hasan Fizal
Government Advocate

For R2 : Mr.A.Sundaravadhanam
Standing Counsel

For R3 : Mr.C.S.K.Sathish
Standing Counsel

ORDER

Mr.L.S.M.Hasan Fizal, learned Government Advocate takes notice on behalf of the first respondent, Mr.A.Sundaravadhanam, learned standing counsel takes notice on behalf of the second respondent and Mr.C.S.K.Sathish, learned standing counsel takes notice on behalf of the third respondent.

2. Considering the limited nature of prayer as sought for in this writ petition, this writ petition is disposed without expressing any opinion on the merits of the case by directing the second and third respondents to consider the representation dated 13.09.2021 of the petitioner's Association insofar as the five employees are concerned and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

3. In case there is a delayed payment, the second and third respondents shall also pay interest on the Death-cum-Retirement Gratuity (DCRG) and other terminal benefits to the petitioner's Association. As far as the DCRG is concerned, the respondent shall pay the statutory rate of interest and as far as other amounts are concerned, the second and third respondents shall pay interest at the rate of 4% per annum to the petitioner's Association within the aforesaid period.

4. This Writ Petition stands disposed of with the above observations. No costs.

Sd/-
Assistant Registrar (CS-II)

//True Copy//

Sub Assistant Registrar

arb



To

1. The Chairman of State Transport
Undertakings and Additional Chief Secretary
to Government,
Government of Tamil Nadu,
Transport Department,
Chennai - 600 009.

2. The Managing Director,
M/s.Tamil Nadu State Transport Corporation
(Coimbatore) Limited,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

3. The Administrator,
M/s.Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
No.2, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.D.Sourdarraj, Advocate, S.R.No.50682

+1cc to the Government Pleader, S.R.No.50483

W.P.No.20688 of 2021

SMI (CO)
SU(12/10/2021)