



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2021

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P(MD)No.13929 of 2021

WEB COPY

R.Sivasubramanian

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation Tirunelveli Limited,
Tirunelveli.

2.The General Manager,
Tamil Nadu State Transport Corporation Tirunelveli Limited,
Ranithottam, Nagercoil-629 001,
Kanyakumari District.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to pay pension taking into account of service to the petitioner from the date of provident fund contribution received by the second respondent dated 01.08.1985 consequently the respondents to give all other monitory benefits to the petitioners forthwith.

For Petitioner : Mr.N.S.Ramakrishnan Dass

For Respondents : Mr.R.Rajamohan,
Standing Counsel for R1 and R2.

Mr.A.Swaminathan
Standing Counsel for R3

ORDER

This Writ Petition has been filed seeking for issuance a Writ of Mandamus, directing the respondents to pay pension taking into account of service to the petitioner from the date of provident fund contribution received by the second respondent dated 01.08.1985 and a consequential direction to the respondents to give all other monitory benefits to the petitioner forthwith.

2. Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.



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

4. According to the petitioner, he made a representation dated 20.08.2019 to the respondents to pay pension taking into account the service of the petitioner with effect from the date of provident fund contribution in the respondent corporation. The petitioner was appointed as a daily wage employee and he has not received all monetary benefits. According to the petitioner, on an identical issue, this Court has passed final orders in WP.(MD) No.742 of 2019 dated 25.01.2019 and on the same lines the present writ petition is also disposed of by considering the petitioner's representation dated 20.08.2019.

5. The learned counsel for the respondents would submit that the said representation will be duly considered by taking note of the afore said order passed by this Court in WP.(MD) No.742 of 2019 within the time stipulated by this Court.

6. Considering the submissions made by the learned counsel on either side, this Court without expressing any opinion on merits, directs the third respondent to consider the petitioner's representation dated 20.08.2019 on merits and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order by taking note of the orders passed by this Court in WP.(MD) No.742 of 2019 dated 25.01.2019.

7. The writ petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Tamil Nadu State Transport Corporation Tirunelveli Limited,
Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The General Manager,
Tamil Nadu State Transport Corporation Tirunelveli Limited,
Ranithottam, Nagercoil-629 001,
Kanyakumari District.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

+1 CC to M/s.R.RAJAMOHAN, Advocate (SR-25987[F] dated 11/08/2021)

+1 CC to M/s.N.S.RAMAKRISHNA DASS, Advocate (SR-25975[F] dated
11/08/2021)

W.P (MD) No.13929 of 2021
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RD(31.08.2021) 3P 6C