

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.3262 of 2020

B.Manoharan

... Petitioner

vs.

The Managing Director,
State Express Transport Corporation,
Tiruvalluvar Illam, Pallavan Salai,
Chennai - 2.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to consider and pass orders on the representation submitted by the petitioner dated 07.12.2019, claiming to settle all his retirement and pensionary benefits namely Gratuity, Pension and other related benefits, within a limited time frame as deem fit by this Court.

For Petitioner : Mr.M.Muthappan

For Respondents: Mr.Kathiresan
Standing Counsel

O R D E R

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the respondent to consider and pass orders on the representation submitted by the petitioner dated 07.12.2019, claiming to settle all his retirement and pensionary benefits namely Gratuity, Pension and other related benefits, within a limited time frame as deem fit by this Court.

2. According to the petitioner, the petitioner was entered into service of the Tiruvalluvar Transport Corporation as a Driver and he was posted as a Driver in the Kanyakumari Division. Thereafter, on his request, he was transferred to Chennai. Thereafter, the petitioner has submitted his resignation letter for voluntary retirement during the year 2005 and the same was accepted by the authority by its Letter No.018219/A7/TNSETC/2005, dated 02.08.2005 and he was relieved from service on 11.07.2005. Thereafter, he was directed to submit a representation in a proper format for settlement of his retirement benefits. But the respondent has not settled the

amount to the petitioner. After his retirement, the respondent has directed the petitioner to pay a sum of Rs.17,841/- towards dues without furnishing any details and also a sum of Rs.2,700/- towards payment to Co-optex, Madras, which the petitioner has paid on 26.04.2005.

3. In view of the above, the petitioner has made a representation dated 07.12.2019 to the respondent requesting to settle his retirement benefits. But so far, no order has been passed for settling the amount to the petitioner. Hence, he has filed the instant writ petition before this Court for the aforesaid prayer.

4. The learned Standing Counsel appearing for the respondent, on instructions, would submit that the petitioner is otherwise eligible, the said representation would be considered by the respondent.

5. In view of the above said submissions made by the parties and considering the facts and circumstances of the case, this Court is inclined to direct the respondent to consider the petitioner's representation dated 07.12.2019 and pass appropriate orders on merits and in accordance with law, as early as possible, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is directed to furnish the copy of the representation dated 07.12.2019 along with this order before the respondent.

6. With the above directions, the Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-II)

//True Copy//

Sub Assistant Registrar

dm

To

The Managing Director,
State Express Transport Corporation,
Tiruvalluvar Illam, Pallavan Salai,
Chennai - 2.

+1cc to Mr.K.Kathiresan, Advocate, S.R.No.37766

W.P.No.3262 of 2020

GJ(CO)
SB(13/07/2022)