



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.8270 OF 2022

C.Kumaresan

... Petitioner

.Vs.

1. The Managing Director,
The Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem - 636 007.

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

... Respondents

PRAYER:-

Writ petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, directing the respondents to disburse the payments relating to Employees' share of Provident Fund, Commutation amount of Pension, Gratuity Amount, Earned Leave Salary, Social Welfare Fund, Compensation Amount for Voluntary retirement, Surrendered Leave Salary, Contribution amount remitted for Institutes of Road Transport and Salary for Last seven days and all other retirement benefits along with interest at 12% per annum with effect from 01.10.2020 within the stipulated time fixed by this Court.

For Petitioner : Mr.N.Desinghu

For R1 : Mr.A.Sundaravadanan
Standing Counsel

For R2 : Mr.C.S.K.Sathish
Standing Counsel



ORDER

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

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2. The writ petition has been filed seeking to issue a Writ of Mandamus, directing the respondents to disburse all the retirement benefits i.e. EP, Commutation, Gratuity, Earned Leave Salary, Social Welfare Fund, Compensation for voluntary retirement, Surrendered Leave salary and other amounts payable to the petitioner along with interest.

3. The case of the petitioner in brief:

The petitioner herein was working as Senior Superintendent in the respondent Corporation and he retired from service on voluntary retirement on 30.09.2020. Even after lapse of more than one year, the respondents had not paid the retirement benefits to the petitioner, though they accepted under Right to Information Act that they have to pay terminal benefits. The petitioner made a representation on 12.03.2022 to the respondents to pay his terminal benefits along with interest. But the said representation was not considered till date. Hence, he filed this writ petition before this Court.

4. The learned Standing Counsel appearing for the respondents agreed that the representation of the petitioner will be considered by the respondent Corporation and appropriate orders will be passed on merits and in accordance with law.

5. In view of the above submission and also considering the limited scope of prayer, without expressing any opinion on merits, this court is inclined to pass the following order.

i) The respondents are directed to consider the petitioner's representation dated 12.03.2022, on its own merits and in accordance with law, as expeditiously as possible, within a period of twelve weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mst



To

1. The Managing Director,
The Tamil Nadu State Transport
Corporation (Salem) Ltd.,
No.12, Ramakrishna Road,
Salem - 636 007.
2. The Administrator,
The Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.N.Desinghu, Advocate, S.R.No.23119
+1cc to Mr.A.Sundaravadanan, Advocate, S.R.No.23198
+1cc to the Government Pleader, S.R.No.23626

W.P.NO.8270 OF 2022

SVI (CO)
PBS/22/04/2022