



WEB COPY



W.P.No.40409 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.40409 of 2016

G.Padmanaban

...Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Villupuram – 605 602.
- 2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Thiruvannamalai Zone,
Thiruvannamalai District.
- 3.The Branch Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Thiruvannamalai Zone,
Thiruvannamalai District.

Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Mandamus, to direct the respondents to treat that the Petitioner was provided with alternate employment as per Section 47 of the Persons with Disabilities (Equal Opportunities Protection of Right And Full Participation) Act, 1995 from 18.02.2014 and to pay him the wages for the period of non employment



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along with continuous service, pay protection and all other attendant benefits and consequently direct the Respondents to settle the terminal benefits namely Pension, commutation and gratuity from the date of retirement 31.05.2018 along with arrears of pension with the interest.

For Petitioner : Mr.P.Paramasivados

For Respondents : Mr.R.Venkatesa Perumal

ORDER

The relief sought for in the present writ petition is to direct the respondents to treat that the Petitioner was provided with alternate employment as per Section 47 of the Persons with Disabilities (Equal Opportunities Protection of Right and Full Participation) Act, 1995 from 18.02.2014 and to pay him the wages for the period of non employment along with continuous service, pay protection and all other attendant benefits and consequently, direct the Respondents to settle the terminal benefits namely Pension, commutation and gratuity from the date of retirement 31.05.2018 along with arrears of pension with interest.

2.The learned counsel for the respondents brought to the notice of this Court that the writ petitioner attained the age of superannuation and retired from service.



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Therefore, providing an alternate employment under the Disabilities Act would not arise at all. That apart, regarding the settlement of terminal and pensionary benefits, it is contented that the petitioner has not submitted any application to that effect. The respondents have sent notice but there was no response from the petitioner. Under these circumstances, the petitioner is at liberty to approach the competent authorities for settlement of all terminal and pensionary benefits due to him and in the event of any such approach, the respondents shall take appropriate action and settle the benefits as per the rules in force.

3. Accordingly, this writ petition stands disposed of. No Costs.

23.11.2022

Index : Yes
Internet : Yes
Speaking order : Yes
ssr

To

1. The Managing Director,
Tamil Nadu State Transport Corporation Limited,
Villupuram – 605 602.

S.M.SUBRAMANIAM, J.



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SSR

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- 2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Limited,
Thiruvannamalai Zone,
Thiruvannamalai District.
- 3.The Branch Manager,
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