



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P. (MD) . No.23465 of 2019

M.Pandy

... Petitioner

Vs

1.The Secretary,
Department of Transport,
Government of Tamilnadu,
Secretariat,
Chennai - 600 009.

2.The Administrative Officer,
Tamilnadu State Transport Corporations Ltd.,
Tamilnadu State Transport Corporation Fund Scheme,
Pallavan Salai, Chennai 600 002.

3.The Managing Director,
Tamilnadu State Transport Corporations Ltd.,
Tirunelveli District.

4.The Assistant Provident Commissioner,
Employees Provident Fund Organization,
Sub Regional Office, N.G.O.Colony,
Tirunelveli District - 627 007.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 3rd and 4th respondents to grant pensionary benefits, gratuity, other terminal benefits, etc on the basis of considering the petitioner's representation dated 26.08.2019.

For Petitioner : Mr.V.Muthuvelan
For Respondents : Mr.D.Sadiq Raja,
Addl. Govt. Pleader for R1
Mr.K.Sathiyasingh for R2 & R3
Mr.J.Mathesh for R4

O R D E R

The relief sought for in the present Writ Petition is to direct the third and fourth respondents to grant pensionary benefits,
<https://hcservices.ecourts.gov.in/hcservices/>



gratuity, other terminal benefits, etc on the basis of considering the petitioner's representation dated 26.08.2019.

2.The petitioner was working as conductor in the third respondent Transport Corporation and departmental disciplinary proceedings were initiated against him regarding certain misconduct. After conducting enquiry, the petitioner was terminated from service in proceedings dated 31.05.1989. The learned counsel for the petitioner made a submission that further appeal filed by the petitioner was also rejected. Under these circumstances, the petitioner filed the present Writ Petition seeking the benefits of pension, gratuity, other terminal benefits.

3.A terminated employee is not entitled for the benefit pension as per the Rules in force. If at all any due is to be paid to the petitioner with reference to his contribution, the same may be settled by the respondents, if it has not already been settled. However, the relief as such sought for cannot be granted as a terminated employee is not entitled for the benefits as per the Rules.

4.This Writ Petition stands disposed of accordingly. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

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Sub Assistant Registrar(CS)

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To:

- 1.The Secretary,
Department of Transport,
Government of Tamilnadu,
Secretariat,
Chennai - 600 009.
- 2.The Administrative Officer,
Tamilnadu State Transport Corporations Ltd.,
Tamilnadu State Transport Corporation Fund Scheme,
Pallavan Salai, Chennai 600 002.
- 3.The Managing Director,
Tamilnadu State Transport Corporations Ltd.,
Tamilnadu State Transport Corporation Fund Scheme,
Pallavan Salai, Chennai 600 002.



4.The Assistant Provident Commissioner,
Employees Provident Fund Organization,
Sub Regional Office, N.G.O.Colony,
Tirunelveli District - 627 007.

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+1 CC to M/s.SPL.GP. (SR-21701[F] dated 27/04/2022)

W.P.(MD) No.23465 of 2019
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DKS (CO)

GC(10.05.2022) 3P 6C