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W.P.No.255 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2023

CORAM:

The HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.255 of 2023

1.T.Maruthavanan
2.V.Thilaigovindarajan
3.V.Palanisamy
4.S.Mathiazhagan

.. Petitioners

VS

1.The Additional Secretary to Government
(Transport Department),
Fort St.George, Chennai – 600 009.

2.The Managing Director,
Tamilnadu State Transport Corporation (Villupuarm)
Ltd., Vazhuthareddy post,
Villupuram.

.. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a writ of mandamus directing the second respondent to pay the Tamilnadu Post retirement benefit fund as per the order of the second respondent made in Ka.No.08/31858/Ni4/TNSTC(V)/2018-6 dated 17.03.2018 to the petitioners and render justice.

For Petitioners : Mr.P.Paramasiva Doss

For Respondents : Mr.E.Sundaram
Government Advocate
for R1
Mr.R.Venkatesa Perumal
Standing Counsel for R2



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ORDER

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1. The grievance of the petitioners in this writ petition is that the second respondent failed to pay the Post Retirement Benefits Fund to the petitioners in accordance with the proceedings issued by the second respondent dated 17.03.2018.

2. The petitioners had made deposits while they were in service towards the Post Retirement Benefits Fund. As per the said Scheme, all their retirement money deposited by them will have to be returned by the second respondent. However, on their retirement, the said money has not been returned. The respective petitioners have given representations on 19.03.2019, 27.07.2020, 20.08.2019, 20.07.2019 and 06.09.2021 respectively. Since the representations have not been considered till date, they have filed this writ petition.

3. Heard Mr.P.Paramasiva Doss, learned counsel for the petitioners and Mr.E.Sundaram, learned Government Advocate accepts notice on behalf of the first respondent and Mr.R.Venkatesa Perumal, learned Standing Counsel accepts notice on behalf of the second respondent.



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4. The petitioners have filed documents along with this writ petition to substantiate their claim that they are entitled for the money which they have deposited under the Post Retirement Benefits Fund with the second respondent. It is for the respondents to consider the same on merits and decide as to whether the petitioners are entitled for return of the said amount.

5. No prejudice would be caused to the respondents if the petitioners' representations, as stated supra, are considered on merits and in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the second respondent to pass final orders on merits and in accordance with law on the petitioners' representations dated 19.03.2019, 27.07.2020, 20.08.2019, 20.07.2019 and 06.09.2021 respectively for return of the money which they claimed to have deposited under the Post Retirement Benefits Fund with the second respondent within a period of twelve weeks from the date of receipt of a copy of this order.



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7. With the aforesaid direction, this writ petition is disposed of. No costs.

06.01.2023

Index:Yes/No
Neutral Citation:Yes/No
ssm

To

- 1.The Additional Secretary to Government
(Transport Department),
Fort St.George, Chennai – 600 009.
- 2.The Managing Director,
Tamilnadu State Transport Corporation (Villupuarm) Ltd.,
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ABDUL QUDDHOSE,J.

ssm

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