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W.P. No. 10106 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2023

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THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 10106 of 2023

1. V.Selvaraju

2. P.Subramanian

... Petitioners

-VS-

1. The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited,
3/137, Salamedu, Valudha Reddy Post,
Villupuram – 605602.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vellore Region,
Rangapuram,
Vellore – 632009.

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai, Chennai – 600002.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to revise the our pension for our entire service from our initial contribution of P.F amount to the Third Respondent Trust as pensionable service and pay difference in gratuity with 10% interest to the Petitioners by taking note of initial training period for calculating gratuity.



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For Petitioners : Mr. S.T.Varadarajalu

For Respondents : Mr. R.Venkatesa Perumal (for R1 & R2)

Mr. C.S.K.Sathish (for R3)

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ORDER

Heard Mr. S.T.Varadarajalu, Learned Counsel for the Petitioners, Mr. R.Venkatesa Perumal, Learned Counsel for the First and Second Respondents and Mr. C.S.K.Sathish, Learned Counsel for the Third Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. Though the Writ Petition has been filed for directing the Respondents to revise the pension of the Petitioners for their entire service from their initial contribution of provident fund amount to the Trust of the Third Respondent and pay differential amount of gratuity with interest at the rate of 10% per annum to them by taking note of initial training period, Learned Counsel for the Petitioners submits that the Petitioners would be satisfied, if the representations dated 03.02.2023 and 07.02.2023 made by them in that regard is directed to be disposed by the concerned authority within the time limit that may be fixed by the Court.



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3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representations dated 03.02.2023 and 07.02.2023 made by the Petitioners including ascertaining as to whether the Petitioners would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioners requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioners and all other persons concerned to explain their position in that regard;
- (iv) a reasoned order shall be passed dealing with each of the contentions raised on merits and in accordance with law and the decision taken communicated by 31.08.2023 under written acknowledgment;



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(v) if the Petitioners are found entitled to any monetary benefits, the same

shall be paid along with working-sheet showing its calculation within a

period of three months from the date of passing of that order; and

(vi) the report of such compliance shall be filed before the Registrar

(Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

21.04.2023

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Index: Yes/No

Note: Issue order copy by 06.06.2023.

To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
(Villupuram) Limited,
3/137, Salamedu, Valudha Reddy Post,
Villupuram – 605602.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vellore Region,
Rangapuram,
Vellore – 632009.



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3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai, Chennai – 600002.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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