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W.P.No.19729 of 2020

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 14.07.2023**

**CORAM**

**THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA  
PRASAD**

**W.P.No.19729 of 2020**

S.Balasubramaniam

... Petitioner

Vs.

1. The State of Tamil Nadu,  
Represented by Secretary to Government,  
Home Department (Transport-II),  
Secretariat, Fort St.George,  
Chennai – 600 009.

2. The Additional Chief Secretary/  
The Transport Commissioner,  
State Transport Authority,  
Ezhilagam, Chepauk,  
Chennai 600 005.

...

Respondents

**PRAYER:** Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to pass appropriate orders for granting of pensionary benefits, superannuation pension and other service benefits including gratuity in



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favour of the petitioner on retirement from the post of Regional Transport Officer as on 28.02.2019, by reckoning period of service rendered in M/s.Cheran Transport Corporation Limited., Coimbatore from 09.02.1982 to 14.02.1995 (13 years and 5 days) and consequently settle the revised pensionary benefits including the regular pension along with arrears of retirement benefits, based on the representation submitted by the petitioner dated 04.01.2020.

For Petitioner : Mr.S.Nedunchezhiyan

For Respondents : Mr. D.Gopal  
Government Advocate

### **ORDER**

This writ petition has been filed for issuance of writ of mandamus, to direct the the respondents to pass appropriate orders for granting of pensionary benefits, superannuation pension and other service benefits including gratuity in favour of the petitioner on retirement from the post of Regional Transport Officer as on 28.02.2019, by reckoning period of service rendered in M/s.Cheran Transport Corporation Limited., Coimbatore from 09.02.1982 to 14.02.1995 (13 years and 5 days) and consequently settle the revised pensionary benefits including the regular pension along with arrears of retirement benefits, based on the



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representation submitted by the petitioner dated 04.01.2020.

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2. Heard Mr.S.Nedunchezhiyan, learned counsel appearing for the petitioner and Mr. D.Gopal, learned Government Advocate appearing for the respondents and perused the materials available on record.

3. Though very many grounds have been raised in this Writ Petition, learned counsel for the petitioner submitted that, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representation dated 04.01.2020 and pass appropriate orders on merits, within a particular time frame to be fixed by this Court.

4. The learned Government Advocate appearing for the respondents submitted that he has no objection for the said order being passed by this Court.

5. In the light of the limited scope of prayer sought for in this writ petition and the submissions of the learned counsel on either side, this Court without going into the merits of the case, directs the second



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respondent to consider the representation of the petitioner dated 04.01.2020 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition is disposed of.

However, there shall be no order as to costs.

**14.07.2023**  
**(1/2)**

*mfa*

To

1. The Secretary to Government,  
Home Department (Transport-II),  
Secretariat, Fort St. George,  
Chennai – 600 009.
2. The Additional Chief Secretary/  
The Transport Commissioner,  
State Transport Authority,  
Ezhilagam, Chepauk,  
Chennai 600 005.



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**J.SATHYA NARAYANA PRASAD,J.,**

*mfa*

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**14.07.2023**