



W.P.No.23806 of 2021

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W.P.No.23806 of 2021

**R.N.MANJULA, J.**

This matter is listed before this Court by way of “Being mentioned” at the instance of Mr.S.T.Varadarajulu, learned counsel for the Petitioner.

2.Heard Mr.S.T.Varadarajulu, learned counsel for the Petitioner and Mr.M.Aswin, learned counsel for first Respondent and Mr.C.S.K.Sathish, learned counsel for the second Respondent.

3.This Court is convinced with the submissions made by the learned counsel for the Petitioner and hence the Registry is directed to replace the following paragraph, instead of paragraph No.6 in the order passed in W.P.No.23806 of 2021 dated 13.10.2023:

*“6. The learned counsel for the Petitioner further submitted that so far as the pension is concerned, some other person has filed W.P.No.335 of 2020 and the same is referred to the Division Bench of this Court, where it is pending. So the Petitioner's pensionary benefits can be decided depending upon the out come of the above said case.”*



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4.Registry is directed to carry out necessary amendment and issue fresh order copy.

28.11.2023

*sai*



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**R.N.MANJULA, J.**

*sai*

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Dated: 28.11.2023



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2023

CORAM

**THE HONOURABLE MS. JUSTICE R.N.MANJULA**

W.P.No.23806 of 2021

S.Kailasam

... Petitioner

Vs.

1.The Managing Director,  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited,  
No.3/137, Salamedu, Villupuram,  
Villupuram District 605 602.

2.The Administrator,  
Tamil Nadu State Transport Corporation  
Employees Pension Fund,  
Pallavan Salai,  
Chennai 600 002.

... Respondents

**Prayer:** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus to direct the respondents to pay pension and other terminal benefits to the petitioner who is legally entitled to for the service rendered with the first respondent corporation.

For Petitioner : Mr.S.T.Varadarajulu

For Respondents : Mrs.Aswini Devi for R1  
Mr.C.S.K.Sathish for R2



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## **ORDER**

This Writ Petition has been filed seeking issuance of Writ of Mandamus to direct the respondents to pay pension and other terminal benefits to the petitioner who is legally entitled to for the service rendered with the first respondent corporation.

2. Heard Mr.S.T.Varadarajulu, learned counsel for the petitioner and Mrs.Aswini Devi, learned counsel for the first respondent and Mr.C.S.K.Sathish, learned counsel for the second respondent.

3. The petitioner joined service in the first respondent Corporation as Driver on 27.12.2000. After regularisation of his service, he retired from service on 30.04.2018, after completion of 18 years of service. After retirement, his terminal benefits were not settled. Therefore, this Writ Petition has been filed.

4. The learned counsel for the second respondent submitted that the petitioner does not fall under old pension scheme and he falls under



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Contributory Pension Scheme. So the petitioner cannot claim pension under the old Pension Scheme.

5. It appears from the submission made by both sides that the petitioner has been given with gratuity. However, it is submitted by the learned counsel for the petitioner that leave encashment, General Provident Fund have not yet been paid to the petitioner so far. Since the petitioner is said to have given representation to the respondents, the respondents shall consider his representation and sanction whatever benefit that are so far not disbursed to the petitioner within a period of six weeks.

6. The learned counsel for the petitioner further submitted that so far as the claim for pension is concerned, the petitioner has already filed a Writ Petition and the same is pending before the learned Division Bench of this Court. So it is upto the petitioner to canvas his claim for pension in that Writ Petition.



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7. With the above observations, this Writ Petition is disposed and the respondents are directed to consider the representation of the petitioner and sanction whatever benefits for which the petitioner is entitled and which were not disbursed so far within a period of six weeks from the date of receipt of a copy of this order. No costs.

**13.10.2023**

Index : Yes  
Internet : Yes/No  
gsk



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To

- 1.The Managing Director,  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited,  
No.3/137, Salamedu, Villupuram,  
Villupuram District 605 602.
- 2.The Administrator,  
Tamil Nadu State Transport Corporation  
Employees Pension Fund,  
Pallavan Salai,  
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**R.N.MANJULA, J.**

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**13.10.2023**