



W.P(MD)No.9577 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.06.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9577 of 2023

and

W.M.P.(MD)No.8530 of 2023

M.A.Mahaboob Basha

... Petitioner

Vs.

**1.The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye Pass Road,
Madurai.**

**2.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.**

**3.The Deputy Manager (Provident Fund)
Tamil Nadu State Transport
Corporation (Madurai) Ltd.,
Bye Pass Road,
Madurai.**

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the



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records relating to the orders passed by the third respondent in his proceedings in Parvai.Vainithi 5/973 dated 04.04.2022 and to quash the same and consequently, direct the respondents 1 & 2 to revise the petitioner's pension with effect from 01.04.2015 as per G.O.Ms.No.146, dated 30.11.2015 instead of 01.05.2019 and to pay the difference amount of pension with 6% interest.

For Petitioner : Mr.C.Thangamani

For Respondents : Mr.C.Rama Chandrapradeep
Standing Counsel for R1 to R3
: Mr.S.C.Herold Singh
Standing Counsel for R2

ORDER

Heard the learned counsel on either side.

2. The petitioner is a retired employee of the respondent corporation. He superannuated on 20.02.2009. He claims the benefit of G.O.Ms.No.146, Transport Department, dated 30.11.2015. The respondents denied the petitioner's request by citing financial condition of the corporation. This order is put to challenge in this writ petition.

3. The reason set out in the impugned order is unacceptable. The respondents can pay the monetary benefits in installments. They cannot however reject the petitioner's request. Therefore, the order impugned in the writ petition is set aside. The respondents are directed to revise the



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petitioner's pension and also pay the arrears as expeditiously as possible.

The petitioner's request for payment of interest is however denied. The Writ Petition is allowed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

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NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN, J.

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