



*W.P(MD)No.13818 of 2023*

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **06.12.2023**

CORAM

**THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR**

**W.P(MD)No.13818 of 2023**

V.S.Solaiappan

... Petitioner

Vs.

1.The Managing Director,  
State Express Transport Corporation  
(Tamil Nadu) Limited,  
Pallavan Salai,  
Chennai-02.

2.The General manager,  
State Express Transport Corporation  
(Tamil Nadu) Limited,  
Pallavan Salai,  
Chennai-02.

3.The Branch Manager,  
State Express Transport Corporation  
(Tamil Nadu) Limited,  
Trichy Branch,  
Trichy.

4.The Administrator,  
Tamil Nadu State Transport Corporation  
Employee's Pension Fund Trust,  
Thiruvalluvarillam,  
Pallavansalai, Chennai-600 002.

... Respondents



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**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to allow the petitioner to retire from service under Voluntary Retirement Scheme and consequently directing the respondents to settle all his terminal benefits payable to him including PF, Gratuity, Monthly Pension, Commuted Value of Pension, Social Security Scheme amount, refund of petitioner's contribution made to Medical, Engineering, Polytechnic Colleges and Institute of Road Transport and all other attendant benefits within the time frame that may be fixed by this Court.

For Petitioner : Mr.A.Rahul

For R1 - R3 : Mr.K.Senthil Kumar  
Standing Counsel

For R4 : Mr.S.C.Herold Singh  
Standing Counsel

### **ORDER**

The present writ petition has been filed by a Conductor of the respondent Corporation seeking a Mandamus directing the respondents to permit him to go on Voluntary Retirement Scheme.

2. The petitioner herein is a Conductor and he applied for going on Voluntary Retirement Scheme on 14.03.2023. Admittedly, on the said date, he had completed 50 years of age and 20 years of service. Therefore, he was eligible for being considered to be retired on



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Voluntary Retirement Scheme. However, the management has not considered his application on the ground that several punishments were pending to be implemented as against the writ petitioner.

3. According to the learned Standing Counsel appearing for the respondent Corporation, all his punishments were implemented on 12.06.2023 and no further punishment is pending to be implemented. The petitioner had to file his application for Voluntary Retirement Scheme giving 3 months notice. When the petitioner had submitted his application on 14.03.2023, the respondent authorities are expected to pass orders on or after 14.06.2023. When all the punishments as against the petitioner have already been implemented on 12.06.2023 itself, there is no impediment for the respondent authorities to permit the petitioner to go on Voluntary Retirement Scheme on 14.06.2023.

4. In view of the above said submission, the respondent authorities are directed to permit the writ petitioner to go on Voluntary Retirement Scheme with effect from 14.06.2023 with all attendant benefits. The said order shall be passed within a period of eight (8) weeks from the date of receipt of copy of this order.

5. With the said observations, this Writ Petition stands disposed of.



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No costs.

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NCC : Yes / No  
Index : Yes / No  
Internet : Yes / No

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To

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**R.VIJAYAKUMAR,J.**



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