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W.P.(MD)No.8512 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD)No.8512 of 2016
and
W.M.P.(MD)No.6814 of 2016

K.Rajagopal

... Petitioner

VS.

1.The Managing Director,
The Tamil Nadu State Transport
Corporation (Madurai) Limited,
Bye-Pass Road, Madurai-625 016.

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

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Declaration, to declare that the action of the respondents in reducing the petitioner's monthly pension without notice and without assigning any reason, is illegal, arbitrary and unconstitutional and consequently, to direct the respondents to restore the petitioner's pension which was paid to him for the month of January 2016 and to refund the pension amount which was reduced so far.

For Petitioner : Mr.C.Thangamani
For R1 : Mr.J.Senthil Kumaraiah
For R2 : Mr.S.C.Herold Singh

ORDER

This writ petition is filed for writ of Declaration, to declare that the action of the respondents in reducing the petitioner's monthly pension without notice and without assigning any reason, is illegal, arbitrary and unconstitutional and consequently, to direct the respondents to restore the petitioner's pension which was paid to him for the month of January 2016



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4. Therefore, the writ petition is dismissed as infructuous. Since the petitioner is being paid the original pension amount, this writ petition has become infructuous. The rights of the petitioner and respondents will be decided based on the outcome of the writ petition which is pending before the Principal Seat of this Court. Therefore, the petitioner is at liberty to approach this Court after the disposal of the writ petition pending before the Principal Seat. If the petitioner is aggrieved by any portion of the order that would be passed in the writ petition in Principal Seat, the petitioner is at liberty to challenge the order.

5. With the above said observation, the writ petition is closed as infructuous. No costs. Consequently, connected miscellaneous petition is closed.

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

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S.SRIMATHY, J

Tmg

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