



WEB COPY

W.P.No.17464 of 2021
and W.M.P.No.18548 of 2021



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.17464 of 2021
and W.M.P.No.18548 of 2021

V.Gunasekaran

...

Petitioner

versus

1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
(CBE-II), Chennimalai Road,
Erode, Erode District.

2.The Deputy Manager,
Tamil Nadu State Transport Corporation
(Coimbatore Ltd.,)
(CBE-II) Chennimalai Road,
Erode, Erode District.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings No.Pa.No.Special/P3/PaPe2/ThaAaPoKa/Ko/EeMa/2019, dated 21.08.2019 and quash the same and consequently direct the respondents to reassess and revise the petitioner's pension and disburse the same together with arrears.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.Sundaravadanam
Standing Counsel for TNSTC



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ORDER

The petitioner has filed this petition seeking for a writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 2nd respondent in his proceedings No.Pa.No.Special/P3/PaPe2/ThaAaPoKa/Ko/EeMa/2019, dated 21.08.2019 and quash the same and consequently direct the respondents to reassess and revise the petitioner's pension and disburse the same together with arrears.

2. Heard Mr.C.Prakasam, learned counsel for the petitioner, Mr.Sundaravadanam, learned Standing Counsel for TNSTC for the respondents and perused the materials available on record.

3. The petitioner who was working as a conductor in the first respondent Transport Corporation had met with an accident on 11.03.2012 and he sustained severe injuries and hence he requested the respondents to give him some light duty. However, it is stated by the second respondent in the order dated 21.08.2019 that the period for which the petitioner was absent from 11.03.2012 to 30.04.2017 has been treated as continuous service but with loss of pay. The same has been reasserted in the



proceedings of the first respondent dated 19.06.2020. Since the period from 11.03.2012 to 30.04.2017 has been considered as the period of continuous service of the petitioner, there is no difficulty in including the said period for the purpose of retiral benefits like pension etc.

With the above clarification, this Writ Petition is **disposed**. No costs.
Consequently, connected Miscellaneous Petition is closed.

02.01.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

sri

To

1.The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
(CBE-II), Chennimalai Road,
Erode, Erode District.

2.The Deputy Manager,
Tamil Nadu State Transport Corporation
(Coimbatore Ltd.,)
(CBE-II) Chennimalai Road,
Erode, Erode District.

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R.N.MANJULA, J.

sri

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02.01.2024