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Writ Petition No.21656 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21656 of 2024

V.Subramanian

S/o.Vaith Padayachi

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vazhuthareddy Post, Salamedu,
Villupuram - 605 602.

2.The Managing Direcotr,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Cuddalore Region, Cuddalore.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents 1 and 3 to pay the payment of pension arrears from 01.07.2015 to 30.04.2019, difference of gratuity and commutation and re-fix the rate of pension by considering the petitioner's representation dated 11.09.2023.



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For Petitioner : Mr.N.Desinghu

For Respondents : Mr.R.Venkatesa Perumal

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents 1 and 3 to deal with the representation of the petitioner dated 11.09.2023 wherein the petitioner is seeking for payment of pension arrears from 01.07.2015 to 30.04.2019, difference of gratuity and commutation and re-fixation of pension.

2. Heard Mr.N.Desinghu, learned counsel for petitioner and Mr.R.Venkatesa Perumal, learned counsel appearing for respondents.

3. The case of the petitioner is that he joined as Junior Assistant in the Thanthai Periyar Transport Corporation Ltd., in the year 1973. He was promoted as Senior Superintendent and he attained the age of superannuation on 31.03.2012. The petitioner was also paid the terminal benefits based on the basic pay that he was drawing at the time of his superannuation.

4. The grievance of the petitioner is that the post of



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superintendent falls under the category of an Administrative Supervisor cadre and therefore, the petitioner is entitled to refixation of the pay scale and consequential payment of the revised pension and other terminal benefits. The petitioner submitted a representation in this regard and since the same was not considered, the present writ petition has been filed before this Court.

5. Taking into consideration the facts and circumstances of the case and the grounds raised by the petitioner, it will suffice if a direction is issued to the first respondent to deal with the representation of the petitioner dated 11.09.2023 on its own merits and in accordance with law and take a decision within a period of eight (8) weeks from the date of receipt of a copy of this order. Depending upon the decision taken by the first respondent, the third respondent can follow suit.

6. The petitioner is directed to submit a fresh representation to the first respondent along with all relevant documents and also a copy of this order.

N.ANAND VENKATESH, J



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This writ petition is disposed of with the above direction. No costs.

05.08.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order

gm

To

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