



W.P.No.34827 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.11.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

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Palanisamy

...Petitioner

-Vs-

1. The Metropolitan Transport Corporation
(Chennai) Limited,
Rep.by its Managing Director,
Pallavan Illam, Pallavan Salai,
Chennai-600 002.

2.The General Manager,
The Metropolitan Transport Corporation
(Chennai) Limited,
Pallavan Illam, Pallavan Salai,
Chennai-600 002.

3.The Deputy Manager,
Provident Fund and Pension Department,
The Metropolitan Transport Corporation
(Chennai) Limited,
Pallavan Illam,
Pallavan Salai,
Chennai-600 002.

4.The President,
MTC Employees Co-operative
Savings & Credit Society Ltd., X367,
No.10, Rathna Nagar,
Teynampet,



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Chennai-600 018.

...Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondents to disburse the pending retirement benefits and pensionary benefits to the petitioner from the date of his retirement on 31.03.2019 enabling the petitioner to pay the due to the 4th respondent society forthwith.

For Petitioner : Mr.K.Balu

For Respondents : Mr.R.Balaji
Standing Counsel

ORDER

This writ petition is filed for issuance of a Writ of Mandamus, directing the respondents to disburse the pending retirement benefits and pensionary benefits to the petitioner from the date of his retirement on 31.03.2019 enabling the petitioner to pay the due to the 4th respondent society forthwith.

2. The case of the petitioner is that he was appointed as Driver in the Respondent Transport Corporation on 23.09.1989 and worked in the office of the 2nd respondent. During his duty as Driver students in Pazhal area have



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entered into the bus and assaulted the petitioner and the conductor, due to the said incident, the petitioner suffered injury and undergone treatment for neurological problem. Thereafter he could not continue his service due the said nerve injury. Thereafter, the petitioner retired from service on 31.03.2019. In the said circumstances, the 4th respondent had issued a notice on 05.07.2019, stating that the petitioner has received a sum of Rs.4,36,279 from the credit society as loan and he is liable to pay a total sum of Rs.5,91,086/- including interest as on 29.06.2019, therefore, the respondent corporation have not disbursed the pending dues of service benefits and pensionary benefits to the petitioner till date. Hence, the writ petition.

3. The learned counsel for the petitioner submitted that the petitioner was appointed as Driver in the Respondent Transport Corporation on 23.09.1989 and worked in the office of the 2nd respondent. During his duty as Driver students in Puzhal area have entered into the bus and assaulted the petitioner and the conductor, due to the said incident, the petitioner suffered injury and undergone treatment for neurological problem. Thereafter he could not continue his service due the said nerve injury. The petitioner has made an application for voluntary retirement from service and the same was received and accepted by the respondent corporation and he



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has been relieved from service on 31.03.2019. In the said circumstances, the 4th respondent had issued a notice on 05.07.2019, stating that the petitioner has received a sum of Rs.4,36,279 from the credit society as loan and he is liable to pay a total sum of Rs.5,91,086/- including interest as on 29.06.2019, therefore, the respondent corporation have not disbursed the pending dues of service benefits and pensionary benefits to the petitioner till date. The petitioner made several representations to the respondents for disbursing the service and pensionary benefits but the same were not considered by the respondent corporation.

4. Mr.R.Balaji, learned standing counsel takes notice for the respondents.

5. The learned standing counsel appearing for the respondents / Transport Corporation submits that the petitioner's representation would be considered after deducting the loan amount which he borrowed from the 4th respondent society.

6. Heard the learned counsel on both sides and perused the materials available on record.



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7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, directs the respondents to disburse the pension benefits and terminal benefits to the petitioner from the date of retirement on 31.03.2019, after deducting the loan amount which he borrowed from the 4th respondent society, within a period of eight weeks from the date of receipt of a copy of this order.

8. In the result, the writ petition stands disposed of with the above direction. No costs.

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ssn

Index : Yes/No

Speaking/Non Speaking order

To

1. The Managing Director,
Metropolitan Transport Corporation
(Chennai) Limited,
Pallavan Illam, Pallavan Salai,
Chennai-600 002.

2. The General Manager,



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The Metropolitan Transport Corporation
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