



WA(MD)No.1485 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2024

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH
and
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**WA(MD)No.1485 of 2024
and
CMP(MD)No.11529 of 2024**

1. The Managing Director,
Tamilnadu State Transport Corporation (Madurai) Limited,
Bypass Road,
Madurai 625 016.

2. The General Manager,
Tamilnadu State Transport Corporation (Madurai) Limited,
Bypass Road,
Madurai 625 016.

3. The Branch Manager,
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Bypass Road Mofussil Branch,
Madurai 625 016.

... Appellants

VS.

1. P.Marimuthu

2. Mr.Satheesh,
The Branch Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Bypass Road Mofussil Branch,
Madurai 625 016.

... Respondents



WA(MD)No.1485 of 2024

Prayer : Appeal filed under Clause 15 of the Letters Patent, against the order dated 27.09.2023 made in W.P(MD)No.23665 of 2023.

For Appellant : Mr.S.C.Herold Singh
For R1 : Mr.A.Rahul

JUDGMENT

(Judgment of the Court was made by **M.S.RAMESH, J.**)

Under the Voluntary Retirement Scheme of the Common Service Rules of the Transport Corporation, when an eligible employee makes an application seeking voluntary retirement, and if no orders are passed by the Management on the said application within a period of 90 days, there is a provision that the employee is deemed to have retired on the expiry of the 90 days.

2. The grievance of the 1st respondent / writ petitioner was that the Management had not passed any orders on the 1st respondent's application seeking voluntary retirement within a period of 90 days. By applying the deemed provision, the learned Single Judge has allowed the writ petition and directed the appellants to permit the 1st respondent to go on voluntary retirement.



WA(MD)No.1485 of 2024

WEB COPY

3. We do not find any illegality or infirmity in the said order. Hence, the Writ Appeal stands dismissed. No costs. In view of the dismissal of this appeal, the appellants Transport Corporation shall forthwith disburse the retirement benefits to the 1st respondent as expeditiously as possible, in any event within a period of eight weeks from the date of receipt of a copy of this judgment. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
Neutral Citation : Yes / No
bala

(M.S.R, J.) (A.D.M.C, J.)
05.12.2024



WEB COPY



WA(MD)No.1485 of 2024

M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

bala

JUDGMENT MADE IN
WA(MD)No.1485 of 2024
DATED : 05.12.2024