



W.P(MD)No.5017 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2024

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P(MD)No.5017 of 2024

K.Sivagnanam

... Petitioner

Vs.

**1.Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Represented by its Managing Director,
Bye Pass Road, Madurai-625 016.**

**2.The Administrator,
Tamil Nadu State Transport Corporation
Employee's Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.**

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to pay Rs.66,849/- towards the payment of pension arrears amount, payable to the petitioner for the period from 01.04.2015 to 30.04.2019, in terms of G.O. (Ms).No.146 Transport (C) Department, dated 30.11.2015, along with RTI reply vide Ref.No.TNSTC/MDU/P.F.Trust/954, dated 11.01.2024, together with 12% interest from 01.04.2015 to till the date of payment and all other attendant benefits to him within the time frame that may be stipulated by this Court.



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For Petitioner : Mr.A.K.Thangavelu
For R1 : Mr.Ramachandra Pradeep
Standing Counsel
For R2 : Mr.S.C.Herold Singh
Standing Counsel

ORDER

The present writ petition has been filed seeking direction to the respondents to pay Rs.66,849/- towards the payment of pension arrears amount, payable to the petitioner for the period from 01.04.2015 to 30.04.2019, in terms of G.O.(Ms).No.146 Transport (C) Department, dated 30.11.2015, along with RTI reply vide Ref.No.TNSTC/MDU/P.F.Trust/954, dated 11.01.2024, together with 12% interest from 01.04.2015 to till the date of payment and all other attendant benefits to him within the time frame that may be stipulated by this Court.

2. By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3. The petitioner joined as Junior Steno in the respondent Corporation with effect from 19.12.1980 and he was regularized as Junior Assistant with



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effect from 19.12.1982. After having promoted as Superintendent with effect from 05.10.2006 and Senior Superintendent with effect from 17.01.2012, on attaining the age of superannuation, he retired from service on 31.05.2015. The Government of Tamil Nadu issued G.O.Ms.No.146 Transport (C) Department, dated 30.11.2015 revising the scale of pay of the Superintendent of State Transport undertakings. The said Government Order was implemented with effect from 01.04.2015 and the arrears of pension amount with effect from 01.04.2015 was also paid to the employees of the respondent Corporation in May 2016 itself. However, the arrears in revised pension amount was not issued to the petitioner and hence, he made a representation on 09.09.2023 to the respondents to implement the Government Order and revise and refix his pension with effect from 01.04.2015 in terms of the said Government Order. On receipt of his representation, the respondent sent a reply, dated 09.10.2023 stating his basic pay has been revised and refixed as Rs.19,450/- and grade pay of Rs.4,900/- from Rs.15,480/- and his Service Register was sent to the Pension section-Corporate Office, Madurai. But the arrears pension amount of Rs.66,849/- for the period from 01.04.2015 to 28.02.2019 is not yet settled. Hence, this writ petition came to be filed.



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4. In view of the above, this Court hereby direct the respondents to pay the pension arrears amount to which the petitioner is eligible along with 6% interest in terms of G.O.(Ms).No.146 Transport (C) Department, dated 30.11.2015 along with 6% interest within a period of twelve (12) weeks from the date of receipt of copy of this order.

5. With the above said observations, this Writ Petition stands disposed of. No costs.

04.03.2024

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

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To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
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2.The Administrator,
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Employee's Pension Fund Trust,
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L.VICTORIA GOWRI, J.

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