



W.A.(MD).No.2202 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.11.2024

CORAM

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

W.A.(MD).No.2202 of 2024
and
C.M.P.(MD).No.15475 of 2024

- 1.The Tamil Nadu State Transport Corporation (Kumbakonam) Limited,
Represented by its Managing Director,
Kumbakonam.
 - 2.The General Manager,
Tamil Nadu State Transport Corporation(Kumbakonam) Ltd,
Nagapattinam Region,
Nagapattinam.
 - 3.The Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Represented by it's the Administrator,
Thiruvalluvar Illam,
Chennai – 2.
- ... Appellants/Respondents

Vs.

M.R.Selvaraju ... Respondent/Writ Petitioner

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed in W.P.(MD).No.4887 of 2020 dated 10.02.2023.



W.A.(MD).No.2202 of 2024

For Appellants : Mr.S.C.Herold Singh

For Respondent : Mr.A.Rahul

JUDGMENT

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

The present Writ Appeal has been filed challenging the order passed by the learned Single Judge in W.P.(MD).No.4887 of 2020 dated 10.02.2023.

2. The issue as to whether the service found in Rule 2(q)(iii) of the Tamil Nadu State Transport Corporation Employees Pension Fund Rules has to be calculated from the date of becoming a member of the Employees Provident Fund Scheme or not, has already been decided by a co-ordinate Bench of this Court in the case of ***Tamil Nadu State Transport Corporation Vs. Periyasamy Pitchaimuthu*** in ***W.A.(MD).No.387 of 2010 dated 25.08.2010***, holding that the actual service requires to be calculated only from the date when the employee becomes a member of the Employees Provident Fund Scheme. This position was also ratified recently in another



W.A.(MD).No.2202 of 2024

decision in the case of the ***Tamil Nadu State Transport Corporation Madurai Limited and others Vs. P.Latha and another*** in ***W.A.(MD).No. 1492 of 2024 dated 02.09.2024***. In view of the same, the order of the learned Single Judge cannot be found fault with and the same stands confirmed.

3. Accordingly, the Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition stands closed.

(M.S.R.,J.) (A.D.M.C.,J.)
12.11.2024

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



WEB COPY



W.A.(MD).No.2202 of 2024

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

Lm

W.A.(MD).No.2202 of 2024

12.11.2024