



W.P. No. 13944 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2025

CORAM

THE HON'BLE Ms. JUSTICE R.N.MANJULA

W.P. No. 13944 of 2019

M.Rajagopal

... Petitioner

-VS-

1. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Trust, Thiruvalluvar House
Pallavan Salai, Chennai – 600002.
2. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd.
12, Ramakrishna Road, Salem-636007.
3. The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd.
12, Ramakrishna Road, Salem-636007.
4. The Assistant Manager
(Provident Fund)
Tamil Nadu State Transport Corporation
(Salem) Ltd.
12, Ramakrishna Road, Salem-636007.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Certiorarified Mandamus, calling for the records connected with the proceedings dated 11.09.2018 of the fourth respondent passed in Letter No.12/PEN/TNSTC(Salem)/2018, quash the same



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and consequentially direct the respondents to refix and enhance the pension payable to the petitioner on par with his similarly placed colleagues who joined and retired from services along with him.

For Petitioner : Ms.S.Girija

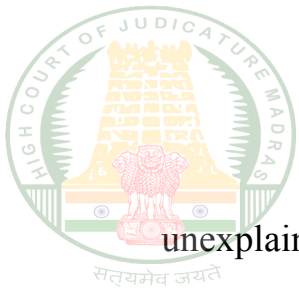
For Respondents : Mr.M.Aswin, Standing Counsel

ORDER

This writ petition has been filed to call for the records connected to the proceedings dated 11.09.2018 of the fourth respondent passed in Letter No.12/PEN/TNSTC(Salem)/2018, quash the same and consequently direct the respondents to refix and enhance the pension payable to the petitioner on par with his similarly placed colleagues who joined and retired from services along with him.

2. Heard Ms.S.Girija, learned counsel for the petitioner and Mr.M.Aswin, learned Standing Counsel for the respondents and perused the materials placed on record, apart from the pleadings of the parties.

3. The learned counsel for the petitioner submitted that the petitioner has retired from service on 31.05.2018. It is submitted by the petitioner that some



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unexplained deductions have been made in the terminal benefits payable to the petitioner and his pension has also been not fixed properly.

4. The learned Standing Counsel for the respondents submitted that the calculations have been rightly made, but the petitioner compares himself with persons equal to his position and claims similar benefits.

5. It is further submitted that the deduction of Rs.53,500/- was made in terms of the settlement arrived under 12(3) on 04.01.2017.

6. However, the learned counsel for the petitioner submitted that the above amount had already been remitted by the petitioner and once again it has been deducted from the gratuity amount payable to the petitioner.

7. It is further submitted that the petitioner was given with certain punishments and later, it was modified and the same was not taken into account while calculating the terminal benefits including the pension of the petitioner.

8. It appears from the records that the petitioner has chosen to challenge only the RTI information given and not any proceedings passed after



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considering the petitioner's representation.

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9. In view of the same, I feel it is appropriate to dispose the writ petition by giving liberty to the petitioner to give fresh representation to the third respondent.

10. In the result, this writ petition is disposed by granting liberty to the petitioner to give a fresh representation to the third respondent. The third respondent shall consider the same in accordance with law and pass orders on merits within a period of four weeks from the date of receipt of a copy of this order. If the third respondent finds that the petitioner is entitled for better retirement benefits and enhanced pension, it will be obligatory on his part to forward the said proposal to the first respondent to act upon it. No costs.

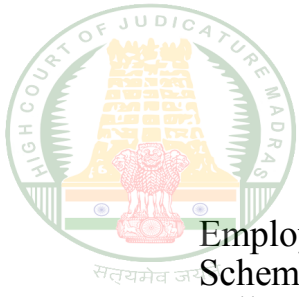
15.04.2025

Internet: Yes/No
Speaking /Non-speaking order
Neutral Case Citation : Yes / No

Maya

To

1. The Administrator
Tamil Nadu State Transport Corporation



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Employees Post Retirement Welfare Fund
Scheme Trust, Thiruvalluvar House
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R.N.MANJULA, J.

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Dated : 15.04.2025