



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-07-2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 24095 of 2025

K.Sabhpathi

Petitioner(s)

Vs

1.Managing Director
Tamil Nadu State Transport
Corporation (Salem) Ltd,
No.12, Ramakrishna Road,
Salem 636 007.

2.The Administrator
Tamil Nadu State Transport
Corporation, Employees Pension Fund
Trust, Pallavan Salai, Chennai-2.

Respondent(s)

PRAYER

Directing the respondents to pay payment of pension arrears from 01.07.2016 to 31.12.2023 and all other unsettled benefits along with interest at 12% per annum with effect from 01.07.2016 within a stipulated time as may be fixed by this Court.



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For Petitioner(s): Mr.N.Desinghu

For Respondent(s): Mr.K.Raja, S.C., For R1
Mr.C.S.K. Sathish, SC For R2

ORDER

The present writ petition has been filed to direct the respondents to pay pension arrears from 01.07.2016 to 31.12.2023 and all other unsettled benefits along with interest at 12% per annum with effect from 01.07.2016.

2. The petitioner states that he joined in the respondent Transport Corporation as a Conductor on 15.07.1985 and his service was later regularised. However, the petitioner was dismissed from service on 10.04.2012 based on a charge memo dated 09.08.2011, alleging that the petitioner was unauthorisedly absent from 11.07.2011. Thereafter, the petitioner challenged the dismissal order before the Labour Court, Salem in ID.No.108 of 2012. The Labour Court partly allowed the petition and treating the absence period as medical leave and dismissal order dated 10.04.2012 was set aside to reinstate the petitioner with



continuity of service along with 40% back wages.

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3. The 1st respondent filed a writ petition before this Court in W.P.No.6394 of 2016 against the order of Labour Court. During the pendency of the writ petition, the petitioner retired from service after attaining the age of superannuation. On 10.07.2023, this Court passed an order directing the respondent to pay 20% back wages along with continuity of service and pay all other terminal benefits to the petitioner. Since no action was taken, the petitioner is constrained to move the present writ petition.

4. The learned counsel for the petitioner would submit that the petitioner is entitled to pensionary arrears and in this connection he has sent a representation on 25.02.2025 and such representation is yet to be considered by the respondents.

5. At this juncture, the learned Standing Counsel appearing on behalf of the respondents would fairly submit that there is a huge delay in making such



claim, but assures that the representation dated 24.02.2025, will be considered within a reasonable time.

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6. In such view of the matter, without going into the merits of the writ petition, this court deems it appropriate to direct the respondents to consider the petitioner's representation dated 24.02.2025 and pass orders within a period of six (6) weeks from the date of receipt of a copy of this order, based on its own merits and in accordance with law.

7. With the above directions, this Writ Petition stands disposed of. No costs.

03-07-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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Tamil Nadu State Transport
Corporation (Salem) Ltd, No. 12
Ramakrishna Raod, Salem 636 007.

2.The Administrator
Tamil Nadu State Transport
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C.KUMARAPPAN J.

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