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W.P. No.38373 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.10.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D. JAGADISH CHANDIRA

W.P. No.38373 of 2025

D. Kulasekaran

... Petitioner

VS.

The Managing Director,
Metropolitan Transport
Corporation (Chennai) Limited,
Pallavan Illam, Mount Road,
Pallavan Salai,
Chennai 600 002.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 22.07.2025 and to count his service from 01.08.1998 to 01.09.2005 for the purpose of pension eligibility and consequently to bring the petitioner under the Tamil Nadu Pension Rules, 1978 (Old Pension Scheme) instead of the Contributory Pension Scheme introduced vide G.O.Ms.No.259, Finance (Pension) Department, dated 06.08.2003 and to direct the respondent to transfer the petitioner's pension contributions already collected under the CPS to the Old Pension Scheme account and to grant him all consequential retiral benefits including pension, gratuity, leave encashment and other terminal dues by duly reckoning his continuous service from 01.08.1998 onwards.



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For petitioner : Mr.L.Poovendra Perumal

For respondent : Mr.A.Vinoth Raj
Standing Counsel

ORDER

Mr.A.Vinoth Raj, learned Standing Counsel takes notice for the respondent. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. It is stated by the petitioner that he was appointed as a casual (daily wage) driver in the respondent Corporation through the District Employment Office on 01.08.1998. Thereafter, the petitioner was made permanent only from 01.09.2005 with a delay of 4 years and 3 months despite having same eligibility and service tenure as 13 other casual drivers. Thereafter, the Government of Tamil Nadu introduced the New Pension Scheme on 01.04.2003 and the same is applicable to those appointed on or after 01.04.2003. However, without considering the same, the respondent Corporation till now refuses to include the petitioner in the old pension scheme. Therefore the petitioner made a representation dated 22.07.2025 to the respondent Corporation seeking the



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aforesaid relief, but the same has not yet been considered by the respondent.

Hence, he has approached this Court by filing this writ petition.

3. Heard the learned counsel on either side and perused the materials placed on record.

4. Learned counsel for the petitioner submitted that it would suffice, if a direction is issued by this Court to consider the petitioner's representation dated 22.07.2025, within a time frame.

5. Acceding to the aforesaid submission, learned Standing Counsel appearing for the respondent would submit that the respondent may be directed to consider the petitioner's representation, within a stipulated time.

6. In view of the fair submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondent



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to consider the petitioner's representation dated 22.07.2025 on its own merits and pass orders in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. No costs.

13.10.2025

Internet: Yes/No

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation : Yes/No

dpq

To

The Managing Director,
Metropolitan Transport
Corporation (Chennai) Limited,
Pallavan Illam, Mount Road,
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Chennai 600 002.



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A.D. JAGADISH CHANDIRA, J.

dpq

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