



W.P.(MD)No.3235 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.02.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.3235 of 2025

A.Sahayaraj

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Limited,
New Railway Station Road,
Kumbakonam – 612001.

2.The General Manager,
Tamil Nadu State Transport Corporation (KMB) Limited,
Pudukkottai Region,
Thirumayam Road,
Pillai Thanneer Panthal,
Pudukkottai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to take into account the 26 years of service instead of 25 years service for petitioner and on the base of the same disburse the difference terminal benefits, provident fund, pension arrears and to revise the pension along with 6% interest and on the base of the petitioner's representation, dated 12.11.2024, within the time frame fixed by this Court.



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For Petitioner : Mr.K.Gokul

For Respondents : Mr.K.Jegadeesh Balan
Standing Counsel

ORDER

This Writ petition has been filed seeking a Mandamus to direct the respondents to take into account the 26 years of service instead of 25 years service for petitioner and on the basis of the same disburse the difference terminal benefits, provident fund, pension arrears and to revise the pension along with 6% interest by considering the petitioner's representation, dated 12.11.2024, within the time frame fixed by this Court.

2. Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents.

3. The case of the petitioner is that he was retired from the respondent Corporation as a Special Grade Tradesman on 31.12.2022 on attaining the age of superannuation. The respondents settled the terminal benefits of the petitioner taking into account 25 years of his service only instead of taking 26



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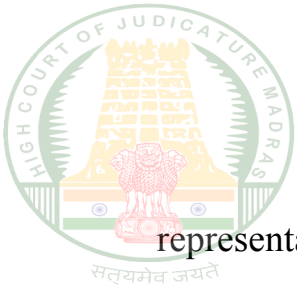
years. The grievance of the petitioner is that he joined in the service on

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07.01.1997 and with effect from that day, the respondents have deducted money from his salary towards his provident fund. In view of the same, he is entitled for provident fund for a period of 26 years instead of 25 years. Requesting the same, the petitioner made several representations to the respondents and final representation submitted by the petitioner on 12.11.2024, but it was not considered by the respondents. Aggrieved by the same, the petitioner filed the present writ petition.

4. Considering the facts and circumstances of the case, in our considered view, the respondents cannot keep the representation pending for several months without taking any decision in accordance with the applicable Rules. It is the duty of the respondents to consider the representation submitted by the petitioner and to take appropriate decision in accordance with law within reasonable time.

5. In view of the above, in the considered opinion of this Court, it is appropriate and reasonable to dispose of this writ petition without going into the merits of the case with a direction to the respondents to consider the



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representation of the petitioner, dated 12.11.2024 within a stipulated time to

WEB meet the interest of the justice.

6. Accordingly, the writ petition is disposed of with a direction to the respondents to consider the representation of the petitioner, dated 12.11.2024 within a period of four weeks from the date of receipt of a copy of this order in accordance with law and communicate the same to the petitioner. No costs.

13.02.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn

To:

- 1.The Managing Director,
Tamil Nadu State Transport Corporation (KMB) Limited,
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Kumbakonam – 612001.
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BATTU DEVANAND, J.

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