



W.P.(MD)No.11306 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.04.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.11306 of 2025

V.Ramachandran

... Petitioner

Vs.

1. The Administrator,
TamilNadu State Transport Corporation Employees'
Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai,
Chennai-2.

2. The Managing Director,
TamilNadu State Transport Corporation (Madurai) Ltd.,
Bye-pass Road, Madurai-10.

3. The General Manager,
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Dindigul Region,
Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to revise the petitioner's pension and pay the difference of arrears of pension to the petitioner by taking his service period as 17 years instead of 13 years from the date of his retirement i.e., from 31.05.2015 by considering his representation dated 22.10.2024 and for other reliefs.



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For Petitioner

: Mr.J.Lawrance

For Respondents

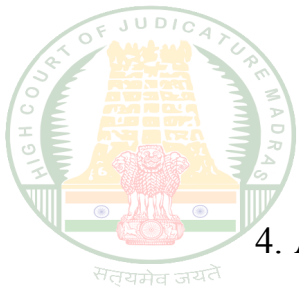
: Mr.S.C.Herold Singh
Standing Counsel

ORDER

Heard, the learned Counsel for the petitioner and Mr.S.C.Herold Singh, learned Standing Counsel for the respondents and perused the materials available on record.

2. This writ petition has been filed seeking direction to the respondents to revise the pension of the petitioner and pay the difference of arrears of pension by taking his service period as 17 years instead of 13 years from the date of his retirement i.e., from 31.05.2015, by considering his representation dated 22.10.2024.

3. The case of the petitioner is that he joined service in the respondent Transport Corporation as a driver on 08.04.1996 on daily wage basis. After completion of 240 days of continuous service, his service was regularized on 01.06.1997. The petitioner was allowed to retire from service on 31.05.2015 on attaining the age of superannuation.

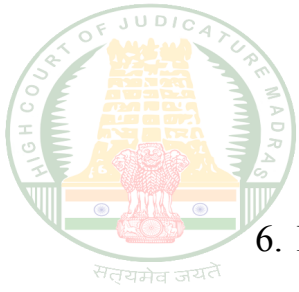


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4. As per Rule 16 of TamilNadu State Transport Corporation Employees'

Pension Rules, if an employee has rendered a qualifying service of 10 years or more and retires on attaining the age of superannuation, he is entitled to receive monthly pension as per the said rule. Though, the petitioner had rendered 19 years of service in the respondent Transport Corporation and he had put in 17 years of qualifying service for the purpose of calculation of monthly pension. The respondents have erroneously calculated his pensionable service as 13 years instead of 17 years. In view of the erroneous calculation, the petitioner is receiving minimum pension of Rs.2094/- from the date of his retirement. If, the respondents calculated his actual service of 17 years, he would have received higher pension than that of the said amount.

5. In these circumstances, the petitioner submitted a representation to the respondents on 22.10.2024, requesting the respondent authorities to rectify the said mistake of 13 years as his qualifying service period instead of 17 years. But, there is no response from the respondents. Aggrieved by the inaction of the respondents in considering his request, the present writ petition is filed.



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6. Mr.Herold Singh, learned Standing Counsel submits that the revision of pension of the petitioner will be considered in accordance with law within the time to be stipulated by this Court.

7. Considering the submissions of the respective counsels and taking into consideration of the facts and circumstances of the case, this writ petition is disposed of with the following directions :

i) The respondents shall consider the representation of the petitioner dated 22.10.2024, in the light of the Rule 16(a) of the TamilNadu State Transport Corporation Employees Pension Rules and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order.

There shall be no order as to costs.

22.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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BATTU DEVANAND, J.

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