



*W.P.(MD)No.15774 of 2025*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 01.07.2025**

**CORAM:**

**THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH**

**W.P.(MD) No.15774 of 2025**

**and**

**WMP (MD) Nos.11961 & 11962 of 2025**

Jeyapandi

: Petitioner

Vs.

1. Tamil Nadu State Transport Corporation  
(Madurai) Limited,  
Represented by its Managing Director,  
Bye Pass Road, Madurai - 625 016.

2. The Deputy Manager (Provident Fund),  
Tamil Nadu State Transport  
Corporation Limited,  
Madurai Division,  
Bye Pass Road, Madurai - 625 016.

3. The Administrator,  
Tamil Nadu State Transport Corporation  
Employees Pension Fund Trust,  
Thiruvalluvar Illam,  
Pallavan Salai,  
Chennai - 600 002.

: Respondents

**PRAYER:** Writ Petitions filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the



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records pertaining to the impugned order dated 15.05.2025 passed by the 2nd respondent vide proceeding Paarvai/Va.Vai.Nithi/WPO173 and its consequential order dated 21.05.2025 passed by the 2nd respondent vide proceeding Paarvai/Va.Vai.Nithi/WPO1273-1 and quash the same as illegal and consequently forbear the respondents either from demanding repayment of Dearness Allowance or from making recovery of the petitioners Dearness Allowance from her monthly pension on the ground that she stayed or is staying in abroad.

For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.S.C.Herold Singh

### **ORDER**

This Writ Petition has been filed for quashment of the order of the second respondent dated 21.05.2025 and consequently forbear the respondents either from demanding repayment of Dearness Allowance or from making recovery of the petitioners Dearness Allowance from her monthly pension on the ground that she stayed or is staying in abroad.

2. Heard the learned counsel on either side and also perused the materials available on record.

3. The learned counsel for the petitioner submitted that the petitioner's husband had served in the respondent Corporation until his



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retirement and subsequently passed away in the year 2022, leaving behind the petitioner and their daughter as his legal heirs. During the periods from 30.07.2023 to 25.12.2023 and 28.11.2024 to 29.03.2025, the petitioner stayed in London in order to assist and care for her ailing daughter. The grievance of the petitioner is that the second respondent, by the impugned order, directed a deduction of Rs.6,000/- per month from her pension, solely on the ground that she had resided abroad during the said period. The principal contention of the petitioner is that Rule 50-A(III) of the Tamil Nadu Pension Rules, 1978, which the respondents have purportedly relied upon, applies only to Government employees. It is argued that the respondents, being a Corporation, are not governed by the Tamil Nadu Pension Rules, 1978.

4. The learned Standing Counsel appearing for the respondents submitted that the petitioner is not eligible for dearness allowance while at abroad as per the Government Order in G.O.Ms.NO. 437, Transport (E) Department, dated 08.11.2017. The guidelines of the Government Order stated that as per Rule 50A(iii) of Tamilnadu Pension Rules 1978, the pensioners are not eligible to get dearness allowances for the period of stay in abroad. In that Government Order itself, it was



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mentioned that Tamil Nadu State Transport Corporation Employees Pension Fund Trust requested to accord approval to amend the existing Rule 20A of the Tamil Nadu State Transport Corporation Employees Pension Fund Rules.

5. Considering the submissions made by the learned Standing Counsel and on perusal of the amended Rule 20A(iii) of the TNSSTC Employees Pension Fund Rules and Rule 50A(iii) of the Tamilnadu Pension Rules 1978, this Court is of the view that the petitioner, having resided abroad during the relevant period, is not entitled to the benefit of dearness allowance. Hence, this Writ Petition has no merits and the same is liable to be dismissed.

6. Accordingly, this Writ Petition is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

**01.07.2025**

Index : Yes / No  
Internet : Yes / No  
PKN



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**VIVEK KUMAR SINGH, J.**

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