



WEB COPY

WP No. 50609 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-01-2026

CORAM

THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 50609 of 2025

K. Ramasamy
S/o.Kandasamy,
Asst. Manager, TNSTC (Retd),
No.44, Ammasai Konar Street,
K.K.Pudur, Sai Baba Colony,
Coimbatore 641 038.

..Petitioner(s)

Vs

1. The Tamil Nadu State Transport Corporation
Ltd.,
Rep. by its Managing Director, No.37,
Mettupalayam Road, Coimbatore.
2. The General Manager,
The Tamil Nadu State Transport Corporation
Ltd., Coimbatore Division II, Chennimalai Road,
Erode-638 001.

..Respondent(s)

The Writ Petition is filed under Article 226 of the Constitution of India for the issuance of a Writ of Certiorarified Mandamus to Call for the records relating to the order passed in KA.No.30380 / L13 / MCOP / TNSTC / CO/ EM /2025 dated 25/10/2025 and to quash the same and direct the Respondents herein to calculate the entire length of service from the date of appointment till date of superannuation along with eligible increment for the year 2018 -19 and revise pension accordingly to the petitioner.



For Petitioner(s): Mr. D. Anand Raja

For Respondent(s): Mr. M. Murali Vinoth

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ORDER

This Writ Petition has been filed challenging the impugned order of the 2nd respondent dated 25.10.2025 and directing the Respondents herein to calculate the entire length of service from the date of appointment till date of superannuation along with eligible increment for the year 2018 -19 and revise pension accordingly to the petitioner.

2.The case of the petitioner is that he was appointed as an ITI (Electrical Cadre) at Erode Rural Branch on 23.01.1989 with the Tamil Nadu State Transport Corporation Ltd., Coimbatore Division II and joined as duty as trainee on the same day. After joining the duty, the petitioner became a contributor of provident fund in P.F Account No.TN/17219/5144 and subsequently, he was promoted as Junior Engineer with a new pay scale as a new employee. After rendering an unblemished service of 30 years, he had retired on 31.03.2019 as Assistant Manager. After his retirement, the petitioner came to know that he is entitled for annual increment for the year 2018-2019. The petitioner is entitled for terminal benefits from 23.01.1989, whereas the respondent calculated the terminal benefits only from the 11th month of 1989.



The petitioner made several representations to the respondents, however the same was not considered. Hence the petitioner filed a writ petition in W.P No.30380 of 2025 seeking a direction to the 1st respondent herein to calculate the entire length of service from the date of appointment till the date of superannuation along with eligible increment for the year 2018-2019 and revision the pension accordingly to the petitioner and the same was allowed on 13.08.2025. However the 1st respondent failed to consider the petitioner's case and passed the impugned order on 25.10.2025. Challenging the same, the present writ petition has been filed.

3.The learned counsel for the petitioner would submit that as per the Tamil Nadu State Transport Employees Pension Fund Trust Rules, regular service is required to be taken into account for pensionary benefits. In the present writ petition, admittedly, the petitioner was appointed as a Trainee in January 1989. However, the pensionary benefits were calculated only from November 1989 to 31.03.2019 which is not sustainable in law. The respondent ought to have calculated the pension benefits from January 1989 to 31.03.2019. Further, the petitioner is entitled to annual increment from 01.10.2018 onwards. However, the said annual increment was not granted which is also not sustainable. Accordingly, he prayed to allow the present writ petition.



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4. Per contra, the learned Standing Counsel appearing for the respondents, on instructions, would submit that admittedly, the petitioner retired from service on 31.03.2019, whereas, he made a representation only in the year 2025, after a lapse of six years. The delay in making the representation has not been properly explained. Further, the petitioner was initially appointed as a Trainee, and after successful completion of the training period, he was permanently appointed as a member of respondent Corporation only in November 1989. Therefore, he petitioner's service was rightly calculated from November 1989. Even a bare perusal of the Trust Rules makes it clear that only regular employment or service rendered after becoming a member of the Employees' Provident Fund is to be taken into account for calculating the petitioner's service. Hence, in terms of permanent employment, the pensionary benefits were calculated strictly in accordance with the Pension Trust Rules. Further, the petitioner suffered a punishment vide an order dated 24.02.2018 imposing postponement of increment for a period of six months. At the time of consideration of the annual increment, the petitioner was under punishment. Therefore, the annual increment was not granted in favour of the petitioner. Whereas, the annual increment was granted to the petitioner from 01.10.2017, during the period when the punishment was in force, the annual increment was not granted in



favour of the petitioner. Hence, the order of impugned cannot be set aside and accordingly, he prayed for dismissal of the present writ petition.

WEB COPY

5. This Court has considered the submissions made on either side and perused the materials available on record.

6. It is an admitted fact that at the time of consideration of the annual increment, the petitioner was undergoing punishment. Consequently, the annual increment was rightly not granted in favour of the petitioner. The contention that the increment was granted earlier does not confer any vested right upon the petitioner, especially when such grant is contrary to the applicable rules. This Court finds no infirmity or illegality in the impugned order. Hence, the writ petition is devoid of merits and is liable to be dismissed.

7. Accordingly, this writ petition is dismissed. No costs.

07-01-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Uma



WEB COPY

WP No. 50609 of 2



M.DHANDAPANI, J.

Uma

To

1. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
No.37, Mettupalayam Road, Coimbatore.
2. The General Manager,
The Tamil Nadu State Transport Corporation
Ltd., Coimbatore Division II Chennimalai Road,
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