

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 24.7.2015.

CORAM

THE HON'BLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.22405 of 2015

K.Ravi

... Petitioner

vs.

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy Villupuram - 605 602.
2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Kancheepuram Region Kancheepuram.
3. The Administrator
Tamil Nadu State Transport Corp
Employees Post Retirement
Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai Chennai 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to settle the petitioner's retirement benefits including Leaver Salary, gratuity, Dearness Allowance arrears and all other attendant retirement benefits etc. with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12 per annum for the belated settlement of retirement benefits including the commuted value of pension, social security scheme arrears, Provident Fund, refund of Institute of road transport arrears etc. to the petitioner payable from the date of retirement i.e. 28.02.2003 to till date of actual payment to the petitioner within the time that may be stipulated by this court.

For Petitioner : Mr.M.Selvam

ORDER

Petitioner joined as Junior Assistant in the respondent Corporation on 5.1.1985 and retired from service on 31.10.2014. His grievance is that he has not been paid the retirement benefits.

2. The non-payment of terminal benefits amounts to violation of Article 21 of the constitution of India. The petitioner made a representation dated 1.7.2015 to pay him the retirement benefits.

3. In the circumstances, the writ petition is disposed of directing the respondents to settle the terminal benefits payable to him within a period of twelve weeks from the date of receipt of copy of this order, if not already settled and the petitioner is also entitled to interest on those amounts if the Rules provide for payment of interest and in the absence of Rules, the petitioner is entitled to interest as per the decision rendered in STATE OF TAMIL NADU, REPRESENTED BY THE SECRETARY TO GOVERNMENT v. DEIVASIGAMANI (2009 (3) MLJ 1). No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

ssk.

To

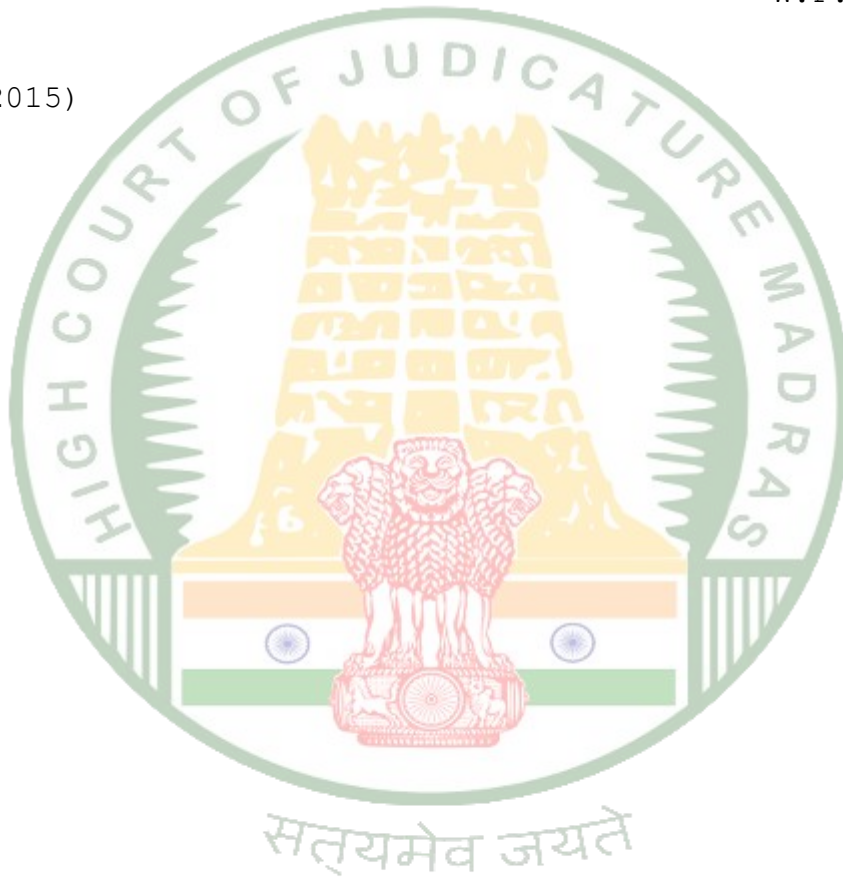
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+1cc to Mr.M.Selvam, Advocate, S.R.No.37820

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JSV(CO)
CA(11/08/2015)



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