

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24996 of 2015

A.Jayagopi

... 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 Corporation
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 praying for issuance of a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Leave 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. 31.11.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Selvam

For Respondents: Mr.P.Paramasivadoss

O R D E R

By consent, the Writ Petition is taken up for final disposal.

2. The petitioner joined the services of Pattukottai Alagiri Transport Corporation Limited as Junior Assistant on 01.01.1988. He was paid consolidated pay of Rs.8,000/- per month. Thereafter, he was put on time scale of pay. At the time of retirement on 30.11.2013, he was drawing Basic Pay of Rs.13,270/-, Grade Pay of Rs.4,800/-, Dearness Allowance of Rs.14,450/-, House Rent Allowance of Rs.2,200/-, H.A. of Rs.100/- aggregated to a sum of Rs.35,426/-. The petitioner was paid Provident Fund of Rs.1,61,850/- only and according to him, he is eligible to receive the following terminal benefits :

i. Gratuity	: Rs.	7,55,000/-
ii. Commutation	: Rs.	5,25,000/-
iii. Leave surrender for 240 days & 25 ML	: Rs.	3,14,000/-
iv. Leave surrender (2014)	: Rs.	18,000/-
v. ERBS Pension	: Rs.	20,760/-
vi. D.A. arrears, 67% (5 months)	: Rs.	21,795/-
Total	: Rs.	16,50,555/-

The petitioner, in this regard, submitted a representation on 01.07.2015 and since no orders have been passed, the petitioner has filed the present Writ Petition.

3. The learned counsel for the petitioner has drawn the attention of this Court to a common judgment dated 12.06.2015 made in W.A.(MD). Nos.383 to 457 of 2015 and would submit that in similar facts and circumstances, the respondents Corporation undertook to pay the amount due and payable in 12 equal monthly installments and hence similar orders may be passed.

4. Heard the submissions of the learned counsel for the petitioner and Mr.P.Paramasivadoss, the learned counsel, who accepts notice on behalf of the respondents 1 & 2.

5. This Court, taking into consideration the above facts and circumstances and without going into the merits of the petitioner's representation dated 15.07.2015, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 15.07.2015, on merits and in accordance with law and after taking note of the common judgment dated 12.06.2015 made in W.A.(MD). Nos.383 to 457 of 2015, pass orders within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6. The Writ Petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

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To

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.

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Employees Post Retirement Welfare
Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

+1 cc to Mr.M.Selvam, Advocate, sr.42573

+1 cc to Mr.P.Paramasivadoss, Advocate, sr.42975

सत्यमेव जयते

W.P.No.24996 of 2015

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