

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.08.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.25016 of 2015

S.Subramani

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
12, Ramakrishnan Salai,
Salem - 636 007.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to pay the retirement benefits such as Gratuity, Earned leave Salary, Commutation etc. payable to the petitioner with interest at the rate of 18% from 31.03.2014 the date of retirement.

For Petitioner : Mr.A.Nagarathinam

For Respondent : Mr.P.Paramasivadoss

O R D E R

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

2.The petitioner would state that he entered the services of the respondent Corporation as a Driver on 12.08.1993 and became permanent employee bearing Employee No.DR 2961 and he retired from service on 31.03.2014 on attaining the age of superannuation and was also relieved on that date itself. The petitioner would further state that the last drawn monthly salary was Rs.26,935/-. While on the event of retirement, he was paid with an amount of Rs.1,10,398/- as Provident Fund.

3. Mr.P.Paramasivadoss, the learned counsel, who accepts notice on behalf of the respondent, on instructions, would submit that the respondent Corporation is experiencing some financial difficulties and the respondent Corporation is not in a position to pay the retirement benefits to the employees and would further add that the Madurai Bench of this Court, by a common judgment dated 12.06.2015 made in W.A.(MD). Nos.383 to 457 of 2015, has permitted the respondent Corporation to pay the retirement benefits in 12 equal monthly installments.

4. This Court, taking into consideration the above facts and circumstances and without going into the merits of the petitioner's representation dated 05.08.2015, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 05.08.2015, 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.

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

Sd/-

Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

va

To

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
12, Ramakrishnan Salai,
Salem - 636 007.

+1 cc to Mr.A.Nagarathinam, Advocate, sr.42483

+1 cc to Mr.P.Paramasivadoss, Advocate, 42974

ak(co)
kra(2/9)

W.P.No.25016 of 2015

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