

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.09.2015

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.27302 of 2015

S.Palaniappan

.. Petitioner

Vs.

1.The Branch Manager,
Tamil Nadu State Transport Corporation,
CBE Division II Ltd.,
Dharapuram.

2.The General Manager,
Tamil Nadu State Transport Corporation,
CBE Division II Ltd.,
Chennimalai Road,
Erode.

3.The Managing Director,
Tamil Nadu State Transport Corporation,
CBE Division I Ltd.,
37, Mettupalayam Road,
Coimbatore.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 2 and 3 to release the earned leave benefits and sick leave benefits with interest of 18% p.a. from the date of petitioner's resignation till the date of payment to the petitioner (Senior Clerk P.R.No.AJ 07625).

For Petitioner : Mr.V.Raghavachari

For Respondents : Mr.S.Sairam for R1 to R3

O R D E R

By consent, this writ petition is taken up for final disposal.

2. The petitioner, while working as Senior Clerk in the services of the Tamil Nadu State Transport Corporation, Coimbatore Division, has submitted a letter intending to resign his job and it was accepted by the respondents on 08.01.2010 and he was relieved from duty on 11.01.2010. The petitioner, after acceptance of his request to go for resignation, was paid with Gratuity and Provident Fund, however other retiral benefits have not been settled and in this regard, has submitted representations dated 07.02.2015 and 10.07.2015 to the respondents 2 and 3 respectively and since, no orders have been passed, came forward to file this writ petition.

3. The learned counsel appearing for the petitioner would submit that since the resignation of the petitioner has been accepted, there cannot be any impediment on the part of the respondents to settle the terminal benefits and for the reasons best known to them, the respondents have not even passed any orders on the representation submitted by the petitioner.

4. Per contra, Mr.S.Sairaman, learned counsel appearing for the respondents would submit that the representation submitted by the petitioner would be considered and appropriate orders would be passed within a stipulated time.

5. This Court, in the light of the above facts and circumstances, directs the second respondent to consider and dispose of the petitioner's representation dated 07.02.2015 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

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

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

jvm

To

1.The Branch Manager,
Tamil Nadu State Transport Corporation,
CBE Division II Ltd., Dharapuram.

2.The General Manager,
Tamil Nadu State Transport Corporation,
CBE Division II Ltd.,
Chennimalai Road, Erode.

3.The Managing Director,
Tamil Nadu State Transport Corporation,
CBE Division I Ltd.,
37, Mettupalayam Road,
Coimbatore.

+1cc to M/s. V. Raghavachari, Advocate, S.R.No.46916
+1cc to M/s. S. Sairaman, Advocate, S.R.No.46741

RSK(CO)
EU(16/09/2015)