

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.30317 of 2015

M.Bose

... Petitioner

Vs.

- 1 The Government of Tamil Nadu  
Rep by Principal Secretary to Government  
Transport Department Fort St. George  
Chennai 9
  - 2 The Managing Director  
Tamil Nadu State Transport Corporation (KUM)  
Ltd. 27 New Railway Station Road  
Kumbakonam
  - 3 The Administrator  
The Tamil Nadu State Transport Corporation  
Pension Fund Trust Thiruvalluvar House  
Pallavan Salai Chennai 2.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to pay the gratuity amount, earned leave, surrender amount and pension commutation amount with interest of 18% on delayed payment which are due from the date of retirement of service of the petitioner on 31.5.2014 as Chief Audit Officer of the Office of Tamil Nadu State Transport Corporation (KUM) Ltd. Kumbakonam 612 001.

For Petitioner : Mr.D.Veerasekaran  
For Respondents : Mr.R.Vijayakumar for R1  
Additional Government Pleader  
Mr.P.Paramasivadosh for R2 and R3

O R D E R

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

2.The petitioner while working as Senior Deputy Manager (Accounts) in the services of the Tamil Nadu State Transport

Corporation, Kumbakonam was allowed to retire on attaining the age of superannuation on 30.05.2014 and G.O.(D) No.29, Transport (D) Department dated 30.05.2014 was also passed to that effect. However, the respondents 2 and 3 did not settle the petitioner's gratuity amount of Rs.10,00,000/-, earned leave surrender of Rs.7,48,640/-, pension commutation of Rs.7,71,672/- and leave on private affairs surrender of Rs.2,80,740/- for more than 1 - ½ years and hence, came forward to file this writ petition.

3.The learned counsel appearing for the petitioner would submit that the matter in issue is squarely covered by the orders of this Court made in W.P.Nos.29189 of 2015 and 24192 of 2013 dated 16.09.2015 and 10.09.2013 respectively, wherein, this Court has directed the settlement of the above said amount within a stipulated time frame and prays for appropriate orders.

4.Heard the submissions of Mr.D.Veerasekaran, learned counsel appearing for the petitioner, Mr.R.Vijayakumar, learned Additional Government Pleader who accepts notice on behalf of the first respondent and Mr.P.Paramasivados, learned counsel who accepts notice on behalf of the respondents 2 and 3.

5.This Court in the light of the facts and circumstances, permits the petitioner to submit representation to the respondents 1, 2 and 3 praying for settlement of the above said amounts, within a period of two weeks from the date of receipt of a copy of this order and the respondents 2 and 3 on receipt of the same are directed to consider the said representation on merits and in accordance with law and pass appropriate orders, within a period of four weeks thereafter and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

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To

- 1 The Government of Tamil Nadu  
Rep by Principal Secretary to Government  
Transport Department Fort St. George  
Chennai 9

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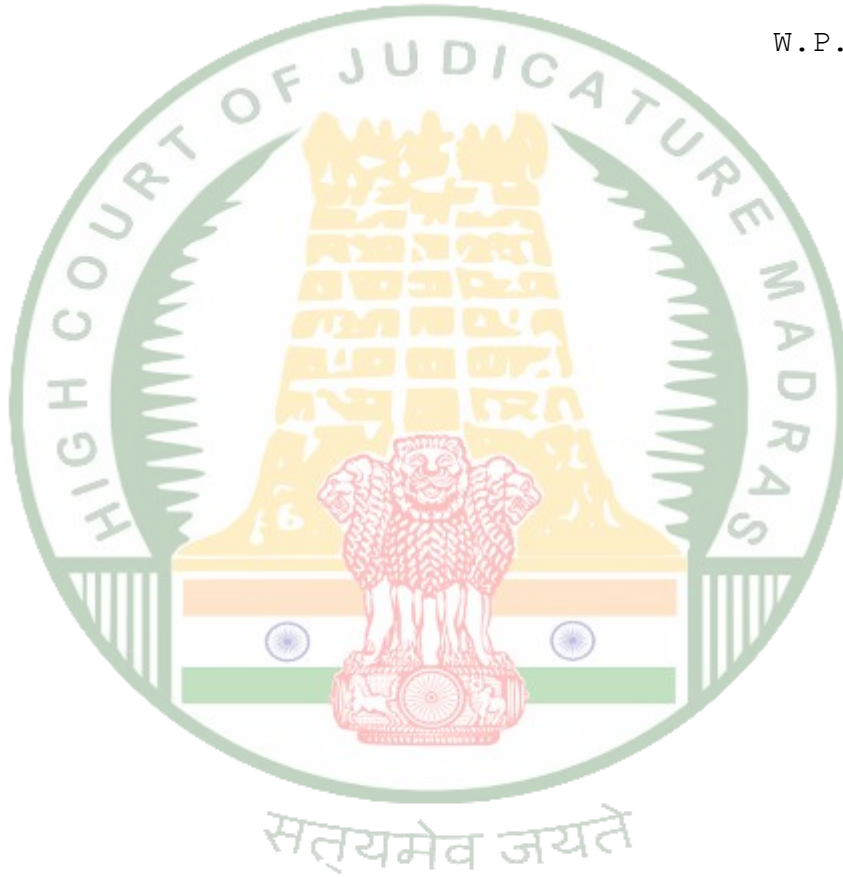
2 The Managing Director  
Tamil Nadu State Transport Corporation (KUM)  
Ltd. 27 New Railway Station Road  
Kumbakonam

3 The Administrator  
The Tamil Nadu State Transport Corporation  
Pension Fund Trust Thiruvalluvar House  
Pallavan Salai Chennai 2.

+1 cc to Mr.D.Veerasekaran, Advocate, sr.52306  
+1 cc to Government Pleader, sr.52400

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kra 30/09



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