

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 06.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31353/2015

S.Devendran

..Petitioner

Versus

1. The Principal Secretary
Government of Tamil Nadu
Transport Department, Fort St George
Chennai 600 009.
2. The Managing Director
Tamilnadu State Transport Corporation [VPM]
Ltd, 3/137 Salamedu, Valuthareddy Post
Villupuram 605602.
3. The Administrator
The Tamilnadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar House
Pallavan Salai, Chennai 600 002.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 2nd and 3rd respondents Transport Corporation to pay the gratuity amount, earned leave surrender amount and pension commutation amount with 18% interest on delayed payment to the petitioner who is retired on 30.06.2014 as Superintendent [Administrator].

For Petitioner : Mr.D.Veerasekaran

For R1 : Mr.V.Subbiah, Spl.GP

For RR2 & 3 : Mr.P.Kannankumar

ORDER

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

2. The petitioner, while serving as Superintendent [Administrator] in the services of the Tamil Nadu State Transport Corporation, Villupuram Limit, has attained the age of superannuation and was relieved from service on 30.06.2014. He was paid with a sum of Rs.1,04,483/- towards his contribution towards Provident Fund and the other benefits are due and payable to him and the said amounts are yet to be paid to him. The details of which are as follows:-

Terminal Benefits	Amount Payable in Rs.
Gratuity	Rs.5,19,519/-
Earned Leave Surrender	Rs.2,33,437/-
Pension Commutation	Rs.2,41,185/-

The grievance expressed by the petitioner is that though he retired from service as early as on 30.06.2014, his statutory entitlements have not been paid to him and hence, the petitioner came forward to file this writ petition.

3. Learned counsel for the petitioner would submit that in similar facts and circumstances, this Court, vide order dated 16.09.2015 made in WP.No.29189/2015 has directed the very same Transport Corporation to dispose of the representation submitted by the petitioner therein within the stipulated time and hence, prays for appropriate orders.

4. This Court heard the submission of Mr.V.Subbiah, learned Special Government Pleader, who accepts notice on behalf of the 1st respondent and Mr.P.Kannankumar, learned counsel who accepts notice on behalf of the respondents 2 and 3.

5. Though the petitioner has sought for a larger relief, this Court, in the light of the above facts and circumstances, permits the petitioner to submit a representation to the respondents 2 and 3 by enclosing a copy of this order 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 same on merits and in accordance with law and pass orders within a further period of four weeks thereafter and communicate the decision taken, to the petitioner.

6. The writ petition is disposed of accordingly. No costs.

AP

Sd/-

Assistant Registrar (Admn.I)

/True Copy/

Sub-Assistant Registrar

To

1. The Principal Secretary to Government
Government of Tamil Nadu
Transport Department, Fort St George
Chennai 600 009.
2. The Managing Director
Tamilnadu State Transport Corporation [VPM]
Ltd, 3/137 Salamedu, Valuthareddy Post
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+1 C.C. To MR.D.Veerasekaran, Advocate in SR.NO.54145

+1 C.C. To Government Pleader in SR.NO.54347

W.P.No.31353/2015

KU (CO)
sd : 26/10/2015



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