

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 05.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.35678 of 2015

S.Viswanathan

...Petitioner

- vs -

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

....Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Mandamus directing the respondents to pay the retirement benefits such as gratuity, commutation of pension, provident fund (management share), family welfare fund, leave surrender pay, IRT share, etc. with interest at 12% p.a. from 01.02.2015 to the petitioner herein forthwith.

For Petitioner : Mr.S.Balaji

For Respondent : Mr.R.K.Gandhi

O R D E R

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

2. The case of the petitioner is that he joined the services of the respondent Corporation as a Conductor on 11.04.1985 and retired from service on 31.01.2015 on attaining the age of superannuation. While on the event of retirement, he was paid only Provident Fund amount of Rs.2,69,790/- and the monthly pension of Rs.12,564/-.

3. Mr.R.K.Gandhi, 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 01.09.2015, directs the respondent to consider and dispose of the petitioner's representation dated 01.09.2015, 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 six 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/
ASSISTANT REGISTRAR (CCC)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

rgr

To

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

+1 CC to MR.C.Balaji Advocate. SR.NO. 61360

W.P.No.35678 of 2015

CO-PA
JD 25/11/2015