

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.36411 of 2015

P.B.Guruvaiah

... Petitioner

Vs.

1. The Managing Director,
Tamilnadu State Transport Corporation
(Villupuram) Ltd.,
3/137, Salamedu, Valuthareddy Post,
Villupuram 605602
 2. The General Manager,
Tamilnadu State Transport Corporation
(Villupuram) Ltd.,
Kancheepuram Region,
Karaipettai (S.O.), Kancheepuram (District)
Kancheepuram 631 552
 3. The Administrator,
Tamilnadu State Transport Corporation
Employee Post Retirement Welfare Fund
Scheme, Thiruvallur House,
Pallavan Salai, Chennai 600002
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including gratuity, earned and medical leave salary, pension commutation, D.A.arrears and all other attendant retirement benefits etc. with interests at the rate of not less than 12% per annum payable from the date of retirement and consequently pay the interest at the rate of 12% per annum for the belated settlement of retirement benefits including gratuity, pension commutations, refund of institute of road transport employee contribution arrears, D.A.increase arrears etc. to the petitioner payable from the date of retirement i.e. 31.1.2014 to till date of actual payment to the petitioner.

For Petitioner : Mr.V.R.Annagandhi
For Respondents : Mr.Kannan Kumar

O R D E R

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

2. According to the petitioner, he was appointed as a record clerk with the respondent Corporation on 15.08.1985. On attaining the age of superannuation, he retired from service on 31.01.2014. At the time of retirement, the respondents have disbursed his Provident Fund amount of Rs.83,784/- and the other retirement benefits such as gratuity, earned leave and medical leave salary, pension commutation and other benefits were not given so far. Therefore, he sent a representation to the respondents on 08.10.2015. But, the same has not been considered till date. Hence, the petitioner has come forward with the present Writ Petition.

3. Heard the submissions of Mr.Annagandhi, learned counsel appearing for the petitioner and Mr.Kannan Kumar learned counsel who accepts notice on behalf of the respondents 1 to 3.

4. The learned counsel appearing for the respondents has submitted that in similar circumstances, this Court in W.P.(MD) Nos.383 to 457 of 2015 has directed the transport corporation to pay the amount due in 12 instalments.

5. This Court, taking into consideration the above facts and circumstances and without going into the merits of the petitioner's representation dated 08.10.2015 directs the 2nd respondent to consider and dispose of the petitioner's representation dated 08.10.2015, 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.

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

arr

s/d-

Assistant Registrar(CS-VII)

True Copy

Sub-Assistant Registrar

To

1. The Managing Director,
Tamilnadu State Transport Corporation
(Villupuram) Ltd.,
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Tamilnadu State Transport Corporation
Employee Post Retirement Welfare Fund
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Pallavan Salai, Chennai 600002

+ 2 ccs to Mr.P.Kannankumar, Advocate SR 62526

+ 1 cc to Mr.V.R.Anna Gandhi, Advocate SR 61907

vsn(co)
prk30/11

W.P.No.36411 of 2015

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