

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.Nos.39855 & 39856 of 2015

S.Ekambaram ..Petitioner in W.P.No.39855 of 2015
R.Krishnakumar ..Petitioner in W.P.No.39856 of 2015

Vs

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited, Vazhuthareddy,
Villupuram-605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Kancheepuram Region,
Kancheepuram.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House,
Pallavan Salai, Chennai-600 002. ...

RESPONDENTS

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to settle the petitioners' retirement benefits including Leave Salary, gratuity, Dearness Allowance arrears and all other attendant retirement benefits etc. with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12 per annum for the belated settlement of retirement benefits including the commuted value of pension, social security scheme arrears, Provident Fund, refund of Institute of road transport arrears etc. to the petitioner payable from the date of retirement i.e. 31.10.2014 & 31.08.2014 to till date of actual payment to the petitioner within the time.

For Petitioner

: Mr.M.Selvam

For Respondents

: Mr.S.Sairaman

C O M M O N O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioners joined the service of the transport corporation as driver and Canteen Helper on 10.05.1983 and 01.09.1986 respectively and they retired from service on 31.10.2014 and 31.08.2014 on attaining the age of superannuation.

3. The petitioners would submit that at the time of retirement, they were paid a sum of Rs.2,31,899/- and Rs.2,32,812/- respectively towards Provident Fund and other retirement benefits were not given and therefore, they made a representation to the first and second respondents on 05.11.2015. Since it was not considered, the present writ petition has been filed.

4. The learned counsel for the petitioner has drawn the attention of this Court to a common judgment dated 12.06.2015 made in W.A.(MD). Nos.383 to 457 of 2015 and would submit that in similar facts and circumstances, the respondents Corporation undertook to pay the amount due and payable in 12 equal monthly installments and hence similar orders may be passed.

5.Heard Mr.M.Selvam, learned counsel appearing for the petitioner and Mr.S.Sairaman, learned counsel appearing for the respondents.

6.This Court, taking into consideration the above facts and circumstances and without going into the merits of the petitioners' representation dated 05.11.2015, directs the 2nd respondent to consider and dispose of the petitioners' representation dated 05.11.2015, 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.

7. The Writ Petition is disposed of accordingly. No costs.

Sd/
ASSISTANT REGISTRAR (CS-IV)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

sms

To

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited, Vazhuthareddy,
Villupuram-605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Kancheepuram Region,
Kancheepuram.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

+1 CC to MR.M.Selvam Advocate. SR.NO. 68046

+1 CC to MR.S.Sairaman Advocate. SR.NO.67999

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AR-IV
JD 22/12/2015

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