



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2015

WEB COPY

C O R A M

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.16216 of 2015

P.Karuppiyah

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) ltd.,
Bye pass Road,
Madurai-625 016.

2.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai- 600 002.

..Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the Respondents to pay the petitioner the following Retirement Benefits:-

Nature of Amount	Quantum of amount (approximately)
a) Gratuity	Rs. 4,89,000/-
b) Pension Commutation	Rs. 2,47,000/-
c) Unavailed leave salary	Rs. 2,96,000/-
d) Social Security Scheme amount	Rs. 16,900/-
e) Erode Engineering College and Medical College Contribution amount	Rs. 4,360/- Rs.10,53,260/-

along with 18% interest within the stipulated period.

For Petitioner	: Mr.C.Thangamani
For Respondents	: Mr.A.P.Muthupandian

ORDER



retirement benefits to him.

2. It is stated that though the petitioner was allowed to retire from the service of the respondents, till date, the respondent Corporation has not settled the retirement benefits. Hence, the petitioner has come before this Court.

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3. In similar circumstances, the Hon'ble Division Bench of this Court while disposing of the batch of writ appeals in W.A(MD)Nos.383 to 457 of 2015, by an order dated 12.06.2015 issued a direction to pay the retirement benefits by way of instalments. The relevant portion of the said judgment reads as follows:-

"2.The said statement is thus taken on records and the respondents will be bound by the same. We have to keep in mind the judicial pronouncement of the Honourable Supreme Court in D.D.TEWARI (D) THR. LRS. Vs. UTTAR HARYANA BIJLI VITRAN NIGAM LTD & ORS (2014 (9) SCALE - 78), wherein it is held that in case of any delay in making the payment of the instalments, the interest payable would become 18% p.a., for the delayed period apart from any other remedy which may be available to the appellants for non-compliance of undertaking given to this court.

3. The instalments to be paid from July 2015 and each instalments should be paid on or before 7th of each month."

4. The learned counsel appearing for the petitioner would submit that the petitioner's case may be considered in the light of the above said decision, since the issue involved in this writ petition has already been answered in the above said decision by the Hon'ble Division Bench of this Court.

5. Considering the facts and circumstances of the case and also considering the fact that the issue involved in this writ petition has already been answered by the Hon'ble Division Bench of this Court, the Writ Petition is disposed of in the light of the above said decision. Accordingly, the retirement benefits of the petitioner are directed to be settled by way of instalments and the first instalments to be paid from November 2015 and each of the instalments should be paid on or before 7th of each month till the entire payment is made. No costs.

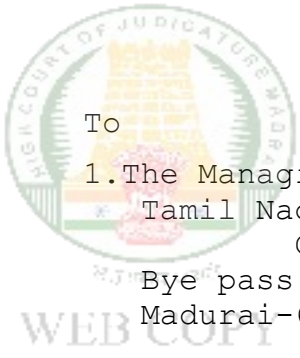
Sd/-

Assistant Registrar(RTI)

/True copy/

Sub Assistant Registrar

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To

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) ltd.,
Bye pass Road,
Madurai-625 016.

2.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai- 600 002.

+one cc to Mr.C.Thangamani, Advocate in SR.NO.52179
+one cc to Mr.A.P.Muthupandian, Advocate in SR.No.52648

W.P. (MD) No.16216 of 2015
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CSL/NGM-SS/15.09.2015
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