



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:07.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

W.P.(MD)No.7778 of 2013

A.Sekkappan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Kum) Ltd,
New Railway Feeder Road,
Kumbakonam, Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kum) Ltd.,
Thirumayam Road, Pudukottai.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to immediately settle the entire retiral benefits from 03.12.2011 with interest at the rate of 12%.

For Petitioner : Mr.P.Natarajan
For Respondents : Mr.K.Sathyasingh

O R D E R

Mr.K.Sathyasingh, learned standing counsel takes notice for the respondents.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the respondents to settle the terminal benefits from 03.12.2011 with interest at the rate of 12% per annum.

4. The petitioner was working as a Driver at the Respondents Corporation and submitted his application for voluntary retirement on 11.08.2011. The petitioner was allowed to retire from the respondents Corporation on voluntary retirement by passing the proceedings, dated 05.12.2011. Accordingly, the petitioner was relieved from service on 03.12.2011. It is stated that though retirement benefits were sanctioned to the petitioner, the same has not been paid by stating that the petitioner is due to the Co-operative Housing Society and therefore, after deducting the said due amount, the balance amount will be paid to the petitioner. The grievance of the petitioner is that even such balance amount has not been paid to the petitioner so far. Therefore, he has filed the above Writ Petition with the relief as stated supra.



5. The learned counsel appearing for the respondents Corporation submitted that the retirement benefits will be settled to the petitioner according to the seniority with 6% interest as held by the Honourable Division Bench of this Court in the case of other similarly situated persons in W.A(MD)No.403 of 2010 etc., batch, dated 04.07.2014.

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6. Considering the above stated submission made by the learned counsel appearing for the petitioner as well as the learned standing counsel appearing for the respondents, the respondents are directed to settle the retirement benefits to the petitioner with effect from 03.12.2011 with interest at the rate of 6% per annum after deducting the amount due and payable by the petitioner to the Co-operative Housing Society in accordance with seniority as directed by the Honourable Division Bench of this Court in the order stated supra.

With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Kum) Ltd,
New Railway Feeder Road,
Kumbakonam, Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Kum) Ltd.,
Thirumayam Road, Pudukottai.

+1cc to MR.P.NATARAJAN, ADVOCATE IN SR : 795

+1cc to MR.K.SATHIYASINGH, ADVOCATE IN SR : 712

Pm

SR : 14.02.2015 : 2p/5c

W.P. (MD)No.7778 of 2013
07.01.2015