

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10115 of 2016

V.Prakasam

..Petitioner

-Vs-

1. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited, No.12, Ramakrishna Road,
Salem - 636 007.
2. The Administrator,
Tamil Nadu State Transport Corporation
(Salem) Limited, Employees Post Retirement
Welfare Fund Scheme, Thiruvalluvar House,
Pallavan Salai, Chennai 600 002.

..Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to disburse the gratuity, commutation balance amount, ERBS (Employees Retirement Benefits Scheme) pension arrears, surrender leave salary i.e. earned leave, medical leave balance credited as on 01.09.1998, IRT Share amount towards Medical, Engineering, Polytechnic Colleges, Salary Dearness Arrears and Pension Dearness Arrears, Social Welfare Fund payable with interest at 12% per annum with effect from 30.04.2015 within the time stipulated by this Court.

For Petitioner :: Mr.A.Selvaraju
For Respondents :: Mr.R.K.Gandhi

ORDER

The petitioner, Mr.V.Prakasam, has filed this writ petition for issuance of a writ of mandamus, directing the respondents to disburse the gratuity, commutation balance amount, ERBS (Employees Retirement Benefits Scheme) pension arrears, surrender leave salary i.e. earned leave, medical leave balance credited as on 01.09.1998, IRT Share amount towards Medical, Engineering, Polytechnic Colleges, Salary Dearness Arrears and Pension Dearness Arrears, Social Welfare Fund payable with interest at 12% per annum with effect from 30.04.2015, within the time stipulated by this Court.

2. Heard the learned counsel for the petitioner. Mr.R.K.Gandhi, learned counsel takes notice on behalf of the respondents.

3. The petitioner joined as a Junior Assistant in the respondent Corporation on 01.04.1981 and retired as Senior Assistant from service on the date of retirement i.e. on 30.04.2015. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, commutation, leave salary, etc., have not been till date settled by the respondents.

4. Since the issue is squarely covered by the various orders passed by this Court, in the light of the Hon'ble Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 (K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited represented by its Managing Director, Madurai and others), this writ petition is disposed of with a direction to the respondents to settle the entire terminal benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from May, 2016 and each of the instalments should be paid on or before 7th of each month. In case of any delay in 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 petitioner for such non-payment of the instalments. No costs.

vga

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited, No.12, Ramakrishna Road,
Salem - 636 007.
2. The Administrator,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

+ 1 cc to Mr.A.Selvaraju, Advocate Sr 17627

KR/11/4/16

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