

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10900 of 2016

S.Mohan

.. Petitioner

-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
Vellore Region, Vellore 632 009.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a writ of Mandamus, directing the respondents to disburse the payments relating to Gratuity, Commutation, Leave Encashment, Last 11 days salary, Settlement arrears and pension arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.09.2014 within the stipulated time.

For Petitioner :: Mr.J.Pradeep

For Respondents :: Mr.P.Paramasivados

ORDER

The petitioner, Mr.S.Mohan has filed this writ petition for issuance of a writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Commutation, Leave Encashment, Last 11 days salary, Settlement arrears and pension arrears by calculating D.A. eligible as per newly implemented

scheme, with interest at 12% per annum with effect from 01.09.2014 within the stipulated time.

2. Heard the learned counsel for the petitioner. Mr.P.Paramasivados, learned standing counsel takes notice on behalf of the respondents.

3. The petitioner joined as Conductor on 04.02.1987 in the Tamil Nadu State Transport Corporation (Villupuram) Limited, Vellore and retired as Senior Grade Conductor on 31.8.2014 while working in Krishna Nagar Depot of the second respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, commutation, leave Encashment, last 11 days salary, settlement arrears, Pension arrears by calculating, D.A.eligible, 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 April, 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

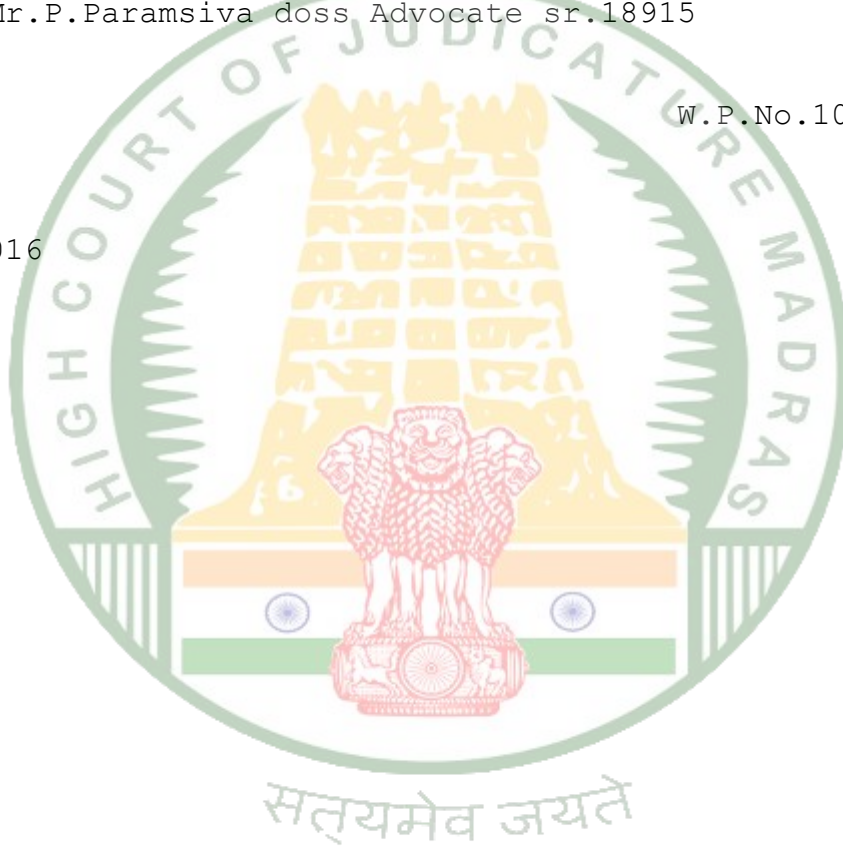
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+1 cc to Mr.J.Pradeep Advocate sr.18536
+1 cc to Mr.P.Paramsiva doss Advocate sr.18915

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