

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10901 of 2016

R.Udayakumar

.. 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
Tiruvannamalai Region, Tiruvannamalai
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, Settlement arrears and pension arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.05.2014 within the stipulated time.

For Petitioner :: Mr.J.Pradeep

For Respondents :: Mr.P.Paramasivados

ORDER

The petitioner, Mr.R.Udayakumar 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, Settlement arrears and pension

arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.05.2014 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 Helper on 16.5.1980 in the Tamil Nadu State Transport Corporation (Villupuram) Limited, Tiruvannamalai and retired as Senior Tradesman on 30.4.2014 while working in Polur Depot of the second respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, commutation, leave Encashment, 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

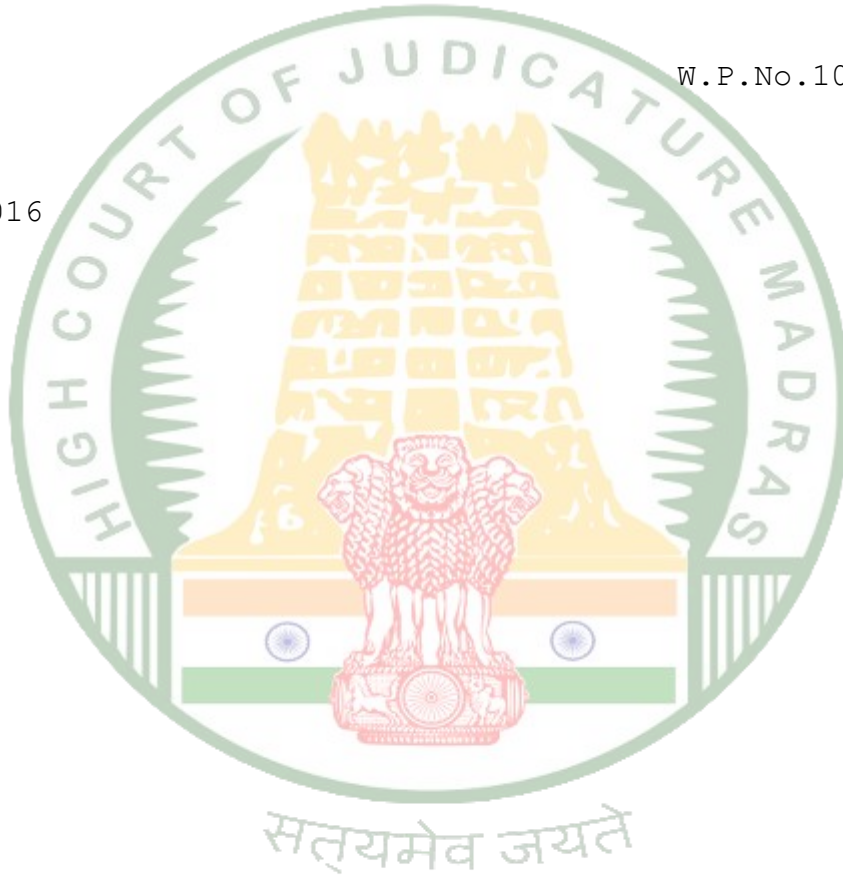
To

1. The Managing Director
Tamil Nadu State Transport Corporation
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Vazhuthareddy, Villupuram - 605 602

2. The General Manager
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Tiruvannamalai Region, Tiruvannamalai
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Chennai 600 002
- +1 cc to Mr.J.Pradeep Advocate sr.18535

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