

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.11121 of 2016

M.Ramalingam

... Petitioner

.Vs.

- 1.The Government of Tamil Nadu
rep. by its Principal Secretary,
Transport Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Limited,
3/137, Salamedu,
Valuthareddy Post,
Villupuram-605 602.
- 3.The Financial Advisor and
Chief Accounts Officer,
Tamil Nadu State Transport Corporation (VPM) Limited,
3/137, Salamedu,
Valuthareddy Post,
Villupuram-605 602.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to settle the petitioner's retirement benefits, such as, Gratuity amount, Leave Encashment (E/L) amount and Leave Encashment (M/L-98) amount with 18% interest on delayed payment to the petitioner from 31.07.2013 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A. (MD) Nos.383 to 457 of 2015 dated 12.06.2015.

For petitioner : Mr.V.S.Jagadeesan

For Respondents : Mr.P.Chinnadurai,
Government Advocate for R1

Mr.P.Kannankumar for R2 and R3

ORDER

The petitioner, Mr.M.Ramalingam has filed this Writ Petition for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to settle the petitioner's retirement benefits, such as, Gratuity amount, Leave Encashment (E/L) amount and Leave Encashment (M/L-98) amount with 18% interest on delayed payment to the petitioner from 31.07.2013, the date of retirement, till the date of settlement of the terminal benefits, to the petitioner by following the order passed in W.A.(MD) Nos.383 to 457 of 2015, dated 12.06.2015.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents 2 and 3. Mr.P.Chinnadurai, learned Government Advocate takes notice on behalf of the respondent 1.

3.The petitioner joined as Conductor on 25.11.1981 in the erstwhile Pallavan Transport Corporation Limited, and retired as Traffic Inspector on 31.07.2013, while working in the Tamil Nadu State Transport Corporation (VPM) Limited. Now, the grievance of the petitioner is that his retirement benefits, namely, Gratuity amount, Leave Encashment (E/L) amount and Leave Encashment (M/L-98) amount, etc., have not been settled till date 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 12.06.2015 (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.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mps

To

- 1.The Principal Secretary,
Government of Tamil Nadu,
Transport Department,
Secretariat,
Fort St. George,
Chennai-600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Limited,
3/137, Salamedu,
Valuthareddy Post,
Villupuram-605 602.
- 3.The Financial Advisor and Chief Accounts Officer,
Tamil Nadu State Transport Corporation (VPM) Limited,
3/137, Salamedu,
Valuthareddy Post,
Villupuram-605 602.

+1cc to Mr.P.Kannankumar, Advocate, S.R.No.19196
+1cc to Mr.V.S.Jagadeesan, Advocate, S.R.No.18851
+1cc to the Government Pleader, S.R.No.18979

W.P.No.11121 of 2016

AK(CO)
CA(27/04/2016)

सत्यमेव जयते

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