

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.12600 of 2016

G.Rajendran

.. Petitioner

-vs-

1.The State of Tamil Nadu,
rep. by its Principal
Secretary to Government,
Transport Department, Secretariat,
Fort St. George, Chennai-600 009.

2.The Managing Director,
State Express Transport Department,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

3.The Administrator,
Tamil Nadu State Transport
Employees Pension Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

4.The Financial Advisor and
Chief Accounts Officer,
State Express Transport Corporation,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to settle the retirement benefits payable to the petitioner with reference to encashment of earned leave, Social Security Scheme Amount, Retirement benefits scheme amount, Engineering College and Medical College deposit refund amount and dearness allowances arrears amount (as on date) along with interest from the date of retirement, based on the representation dated 16.03.2016 submitted by the petitioner, within a time frame to be fixed by this Court.

For Petitioner :: Mr.G.Sankaran

For Respondents:: Mr.K.J.Sivakumar,
Government Advocate for R1
Mr.P.Paramasivadosh for R2 to R4

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondents to settle the retirement benefits payable to the petitioner with reference to encashment of earned leave, Social Security Scheme Amount, Retirement benefits scheme amount, Engineering College and Medical College deposit refund amount and dearness allowances arrears amount (as on date) along with interest from the date of retirement, based on the representation dated 16.03.2016 submitted by the petitioner, within a time frame to be fixed by this Court.

2. Heard the learned counsel appearing for the petitioner. Mr.K.J.Sivakumar, learned Government Advocate takes notice on behalf of the first respondent. Mr.P.Paramasivadosh, learned Standing counsel takes notice on behalf of respondents 2 to 4.

3. The petitioner joined as a Junior Cashier in erstwhile Tiruvalluvar Transport Corporation presently called as State Express Transport Corporation and he was retired from service on 31.03.2013 while working as a Senior Superintendent in the second respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, earned leave surrender encashment amount, social security scheme amount, retirement benefit scheme amount and Engineering College and Medical College deposit refund amount, have not been till date settled by the respondents.

4. Since the issue is squarely covered by 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.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vga

To

1.The State of Tamil Nadu,
rep. by its Principal Secretary to Government,
Transport Department, Secretariat,
Fort St. George, Chennai-600 009.

2.The Managing Director,
State Express Transport Department,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

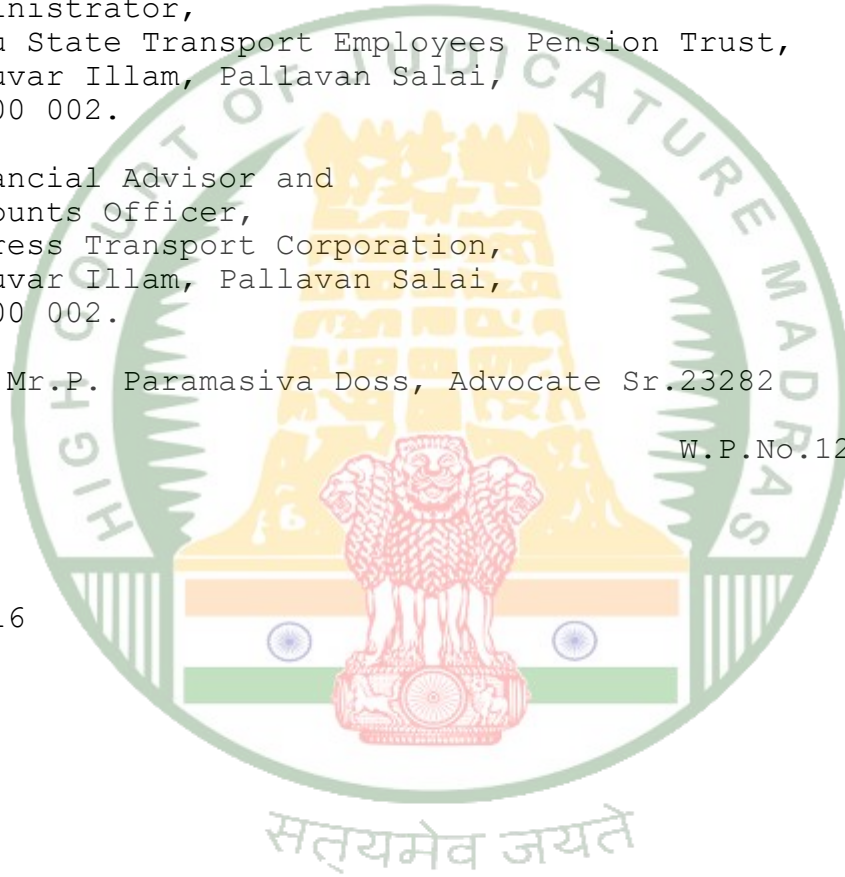
3.The Administrator,
Tamil Nadu State Transport Employees Pension Trust,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

4.The Financial Advisor and
Chief Accounts Officer,
State Express Transport Corporation,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

+ 1 cc to Mr.P. Paramasiva Doss, Advocate Sr.23282

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PA (CO)
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