

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.12640 of 2016

S.Krishnamoorthy
S/o.Subbaraya Padayachi

..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

Writ Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 31.12.2013 within the time stipulated by this Court.

For Petitioner : Mr.A.Selvaraju

For Respondents : Mr.R.K.Gandhi

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O R D E R

The petitioner has filed this writ petition for issuance of a writ of mandamus directing the respondents to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 31.12.2013 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 Junior Assistant in the year 1984 in the first respondent Corporation and subsequently, promoted as Senior Superintendent. After completion of 30 years of service, the petitioner retired from service on 31.12.2013. 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 at 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/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

gm

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.R.K. Gandhi, Advocate, Sr. 21993

1 cc to M/s. A. Selvaraju, Advocate, Sr. 21573

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