

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.12741 of 2016

R.Shanmugam
S/o.S.Raju

.. Petitioner

Versus

- 1.The Government of Tamil Nadu
represented by
Principal Secretary to Government,
Transport Department,
Fort St.George,
Chennai - 600 009.
 - 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/137, Salamedu,
Valuthareddy - Post,
Villupuram - 605 602.
 - 3.The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.
- .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 and 3 to disburse the retirement benefits of gratuity amount for a sum of Rs.5,58,788/- earned leave surrender salary for a sum of Rs.1,00,000/- and pension commutation amount for a sum of Rs.2,75,934/- and settlement difference arrears of salary Rs.40,000/- totally comes to Rs.9,74,722/- with 18% interest on delayed payment to the petitioner who is retired from service on 30.06.2014 as Checking Inspector in the second respondent's office on par with the similar issue decided in W.A.(MD) Nos.383 to 457 of 2015 dated 12.06.2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly installments and to pay 6% interest to the terminal benefits payable to the employee.

For Petitioner : Mr.D.Veerasekaran

For Respondents: Mr.K.J.Sivakumar,
Government Advocate [R1]
Mr.P.Kannan Kumar [R2 & R3]

O R D E R

The petitioner has filed this writ petition for issuance of a writ of mandamus directing the respondents 2 and 3 to settle all the retirement benefits due and payable to the petitioner with interest at 18% per annum with effect from 30.06.2014 within the time stipulated by this Court.

2. Heard the learned counsel for the petitioner. Mr.K.J.Sivakumar, the learned Government Advocate, takes notice for the first respondent and Mr.P.Kannan Kumar, the learned counsel, takes notice for respondents 2 and 3.

3. Mr.R.Shanmugam, the petitioner herein, was appointed as Conductor at Pattukottai Azhagiri Transport Corporation under Government of Tamil Nadu undertaking on 30.05.1984 and subsequently promoted as Checking Inspector on 14.08.2013. After completion of 31 years of service, the petitioner retired from service on 30.06.2014. Now, the grievance of the petitioner is that only the provident fund amount has been paid to the petitioner and the other terminal benefits have not been settled. Hence, the petitioner has approached this Court by filing this writ petition.

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 petitioner to give a representation to the respondents mentioning clearly the terminal benefits payable to him along with a copy of this order within a week from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the same in the light of the order passed by this Court in the aforesaid cases

and settle all the terminal benefits payable to the petitioner within a period of four weeks thereafter. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

gm

To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu
Transport Department,
Fort St.George,
Chennai - 600 009.
 - 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/137, Salamedu,
Valuthareddy - Post,
Villupuram - 605 602.
 - 3.The Administrator,
The Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.
- +2 ccs to Mr.P.Kannan Kumar Advocate sr.21641
+1 cc to Government Pleader sr.21724
+1 cc to Mr.D.Veerasekaran Advocate sr.21477

Writ Petition No.12741 of 2016

aa21/04/2016

WEB COPY