

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.12764 of 2016

R.Duraisamy

.. Petitioner

-vs-

The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited
No.12, Ramakrishna Road
Salem 636 007

... Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 30.06.2013 within the time stipulated by this Hon'ble Court.

For Petitioner :: Mr.A.Selvaraju

For Respondent :: Mr.R.K.Gandhi

ORDER

Mr.R.Duraisamy has filed this writ petition seeking issuance of a writ of mandamus directing the respondent to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 30.06.2013 within a reasonable time.

2. Heard the learned counsel for the petitioner. Mr.R.K.Gandhi, learned counsel takes notice on behalf of the respondent.

3. The petitioner joined as Record Clerk on 21.11.84 in the respondent Corporation and retired as Senior Assistant on 30.6.2013 on reaching the age of superannuation, after putting in 29 years of service. However, his retirement benefits, namely, gratuity, earned leave salary, dearness allowance arrears etc., have not been till date settled to him.

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 respondent 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 V)

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State,
Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem 636 007.

+1cc to Mr.A.Selvaraju, Advocate Sr.21570

W.P.No.12764 of 2016

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srg 25/04/2016

सत्यमेव जयते

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