

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.12960 of 2016

K.Kesavan

..Petitioner

-Vs-

1.The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007.

2. The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem - 636 007.

3. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar House, 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 payment of Gratuity, Medical Earned Leave, Earned Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and Dearness Allowance and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Court.

For Petitioner :: Mr.N.Sudhagar Nagaraj

For Respondents :: Mr.P.Paramasivadoss

ORDER

The petitioner, Mr.K.Kesavan has filed this writ petition

for issuance of a writ of mandamus directing the respondents to settle payment of Gratuity, Medical Earned Leave, Earned Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and Dearness Allowance and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Court.

2. Heard the learned counsel for the petitioner. Mr.P.Paramasivadosh, learned counsel takes notice on behalf of the respondents.

3. The petitioner joined the service of the respondents Corporation on 19.02.1987 and retired as Selection Grade Senior Grade Conductor on 31.08.2014 while working in the second respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, payment of Gratuity, Medical Earned Leave, Earned Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS), Dearness Allowance etc., 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.

vga

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited,
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Post Box No.713,
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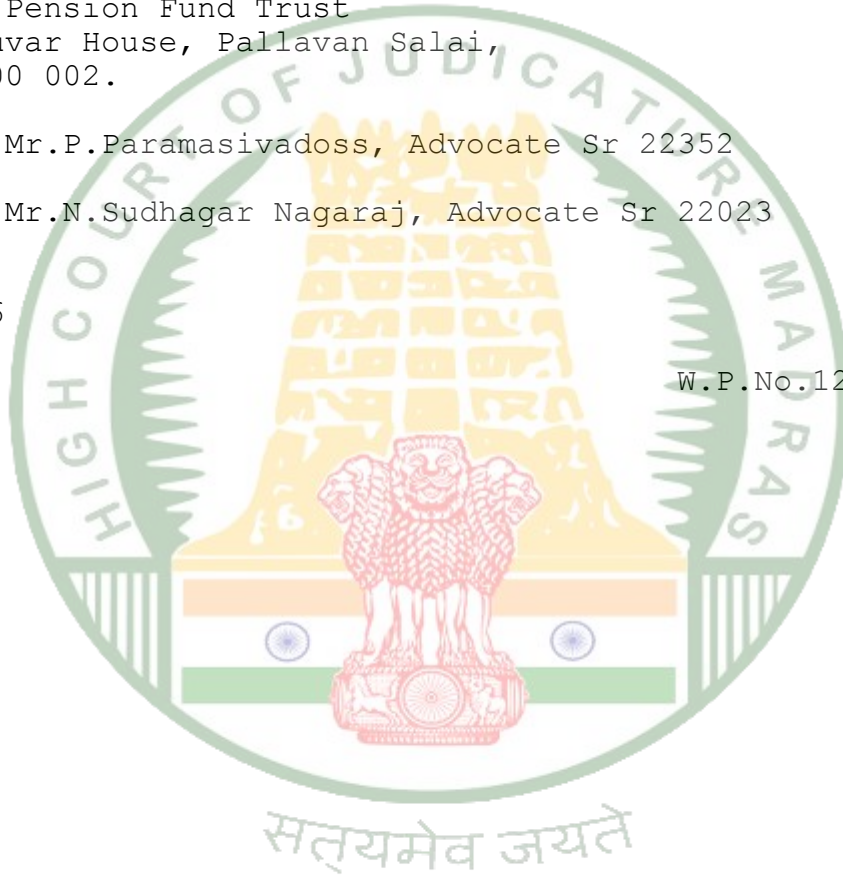
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

+ 1 cc to Mr.P.Paramasivadosh, Advocate Sr 22352

+ 1 cc to Mr.N.Sudhagar Nagaraj, Advocate Sr 22023

KR/18/4/16

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