

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.13062 of 2016

A.Earnest Gladston

... Petitioner

Vs.

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(VPM) Ltd.,
Valuthareddy Post,
Villupuram-605 602.
 - 2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Region,
Vellore-632 009.
 - 3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House Pallavan Salai,
Chennai-600 002.
- Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the respondents to disburse the payments relating to Gratuity, Commutation, Leave Encashment (Earned Leave & Medical Leave) by calculating D.A. Eligible as per newly implemented, with interest at 12% per annum with effect from 01.07.2015, within the time frame as fixed by this Court.

For Petitioner : Mr.J.Pradeep
For Respondents : Mr.P.Paramasivados

O R D E R

This Writ Petition has been filed by the petitioner seeking a Writ of Mandamus, directing the respondents to disburse his payments relating to Gratuity, Commutation, Leave Encashment (Earned Leave & Medical Leave) by calculating D.A. Eligible as per newly implemented, with interest at 12% per annum with effect from 01.07.2015.

2.Heard Mr.J.Pradeep, learned counsel for the petitioner and Mr.P.Paramasivados, learned counsel for the respondents.

3.The petitioner joined the service as Helper in the Tamil Nadu State Transport Corporation (Villupuram) Ltd., Vellore Region on 26.04.1984 and his service was confirmed on 20.02.1986 and he retired from service as Senior Tradesman in R.C. Unit of the second respondent on 30.06.2015. On the date of his retirement, he was paid with Rs.3,49,988/- towards Provident Fund. However, the grievance of the petitioner is that though he was retired from service on 30.06.2015, till date, he was not paid with the terminal benefits. Therefore, he submitted his representation to the first respondent on 22.03.2016. However, till date, his representation was not considered by the first respondent. Hence, he has come forward with the present writ petition.

4.The learned counsel for the petitioner submitted that in similar matters, this Court vide orders in W.P.Nos.17966 & 17967 of 2009 dated 18.09.2009, W.P.24192 of 2013 dated 10.09.2013, W.P.No.23403 of 2013 dated 03.09.2013 and W.P.No.20351 of 2015 dated 09.07.2015, has directed the respondents to pay the entire retirement benefits with interest at 10% p.a. within the stipulated period.

5.Considering the facts and circumstances of the case and in view of the earlier orders passed by this Court in similar circumstances, without going into the merits of the matter, the respondents 1 and 2 are directed to consider and dispose of the representation submitted by the petitioner dated 21.03.2016 on merits and in accordance with law, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 dated 12.06.2015, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6.Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

DP

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(VPM) Ltd.,
Valuthareddy Post,
Villupuram-605 602.

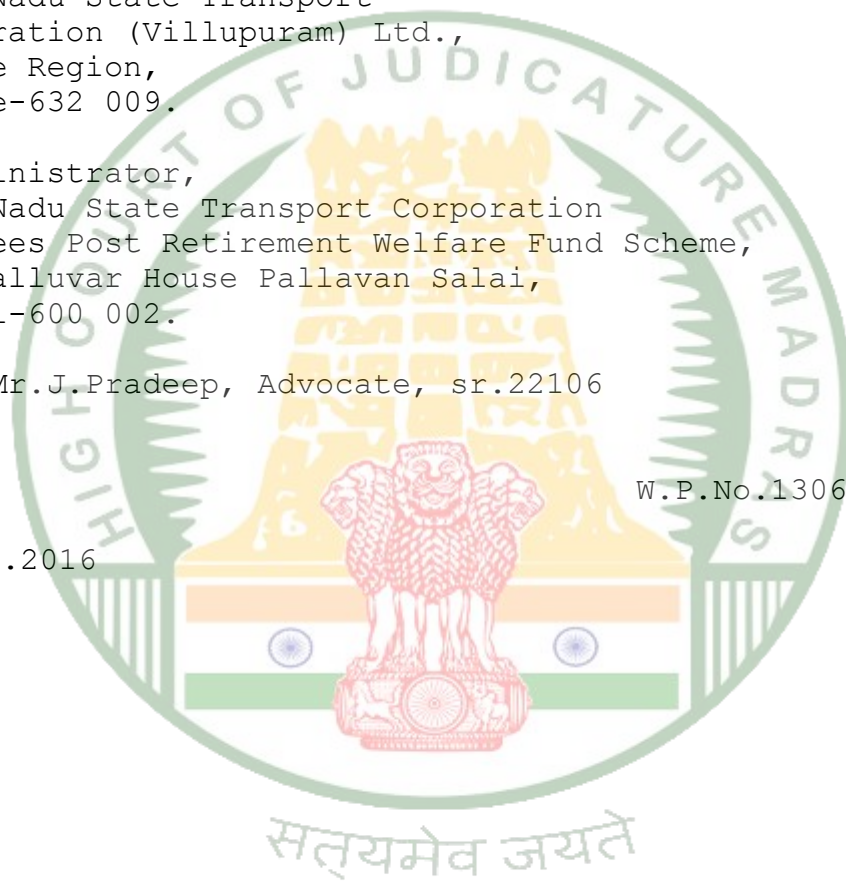
2.The General Manager,
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Vellore Region,
Vellore-632 009.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House Pallavan Salai,
Chennai-600 002.

+1 cc to Mr.J.Pradeep, Advocate, sr.22106

vsn co
kra 27.04.2016

W.P.No.13062 of 2016



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