

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13565 of 2016

K.K.Narayanan

.. Petitioner

-vs-

1.The Government of Tamil Nadu,
rep. by its Principal Secretary,
Transport Department,
Secretariat, 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 Financial Advisor
and Chief Accounts Officer,
Tamil Nadu State Transport
Corporation (VPM) Ltd.,
3/137, Salamedu,
Valuthareddy - Post,
Villupuram - 605 602.

4.The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallanvan Salai, Chennai-600 002.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing respondents 2 to 4 to settle the petitioner's retirement benefits such as gratuity amount, commutation of pension, leave on private affairs, leave on encashment (EL) amount, arrears of leave surrender for 4 years (EL), pension DA arrears amount and PF arrears amount and leave on encashment (ML-98) and other attendant benefits after duly taken into account the enhanced dearness allowance with 18% interest on delayed payment to the

petitioner from 31.05.2015 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A. (MD) Nos.383 to 457 of 2015 dated 12.06.2015.

For Petitioner :: Mr.V.S.Jagadeesan

For Respondents :: Mr.K.J.Sivakumar,
Government Advocate for R1

Mr.P.Kannan Kumar for R2 to R4

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing respondents 2 to 4 to settle the petitioner's retirement benefits such as gratuity amount, commutation of pension, leave on private affairs, leave on encashment (EL) amount, arrears of leave surrender for 4 years (EL), pension DA arrears amount and PF arrears amount and leave on encashment (ML-98) and other attendant benefits after duly taken into account the enhanced dearness allowance with 18% interest on delayed payment to the petitioner from 31.05.2015 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A. (MD) Nos.383 to 457 of 2015 dated 12.06.2015.

2. Heard the learned counsel appearing for the petitioner, Mr.K.J.Sivakumar, learned Government Advocate appearing for R1 and Mr.P.Kannan Kumar, learned Standing counsel appearing for R2 to R4.

3. The petitioner joined as a Junior Assistant in the erstwhile Pallavan Transport Corporation Ltd. on 10.04.1981 and he was retired from service on 31.05.2015 on attaining the age of superannuation while working as a Senior Superintendent in second respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, commutation of pension, leave on private affairs, leave encashment (EL), leave encashment (ML-98), arrears of leave surrender for 4 years (EL), pension D.A. Arrears and P.F. arrears, 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Government of Tamil Nadu,
rep. by its Principal Secretary,
Transport Department,
Secretariat, 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 Financial Advisor
and Chief Accounts Officer,
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4.The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallanvan Salai, Chennai-600 002.

+1 cc to M/s.V.S.Jagadeesan Advocate sr.22886

+1 cc to Mr.P.Kannankumar Advocate sr.23049

+1 cc to Government Pleader sr.23185

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