

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13599 of 2016

D.Manoharan

.. Petitioner

-vs-

1.The Management of State Express
Transport Corporation (Tamil Nadu) Ltd.,
rep. by its Managing Director,
Pallavan Salai, Chennai-2.

2.The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to pay the petitioner Rs.3,53,858/- towards E.P.F., Rs.3,60,525/- towards leave salary, Rs.27,187/- towards social security scheme, Rs.61,158/- towards balance of gratuity and Rs.3,500/- towards refundable deposits along with 18% interest per annum together with interest amount for the periods of delay in paying the part of the gratuity amount and further directing the respondents to pay him Rs.2,97,740/- towards the pension commutation amount together with 18% interest per annum within a time frame as may be fixed by this Court.

For Petitioner :: Mr.V.Ajoy Khosh

For Respondents :: Mr.P.Paramasivados

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the first respondent to pay the petitioner Rs.3,53,858/- towards E.P.F., Rs.3,60,525/- towards leave salary, Rs.27,187/- towards social security scheme, Rs.61,158/- towards balance of gratuity and Rs.3,500/- towards refundable deposits along with 18% interest per annum together with interest amount for the periods of delay in paying the part of the gratuity amount and further directing the respondents to

pay him Rs.2,97,740/- towards the pension commutation amount together with 18% interest per annum, within a time frame as may be fixed by this Court.

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

3. The petitioner joined as a Junior Assistant in the State Express Transport Corporation (Tamil Nadu) Ltd. on 01.05.1986 and he was retired from service on 31.05.2014 while working as a Senior Superintendent in Vedaraniyam branch of the first respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, E.P.F., gratuity, leave encashment 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.

Sd/-

Assistant Registrar(CS-III)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Management of State Express
Transport Corporation (Tamil Nadu) Ltd.,
rep. by its Managing Director,
Pallavan Salai, Chennai-2.

2.The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai, Chennai-2.

1 cc to Mr.V.Ajaykhose, Advocate, sr.22863
1 cc to Mr.P.Paramasivadoss, Advocate, sr.23284

W.P.No.13599 of 2016

ak co
kra 13.05.2016



WEB COPY