

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:- 13.04.2016

CORAM:  
THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13640 of 2016

V.Dilli Chakkarapani

...Petitioner

Versus

1.The Managing Director,  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited,  
Vazhuthareddy,  
Villupuram 605 602.

2.The General Manager,  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited,  
Kancheepuram Region,  
Kancheepuram 631 552.

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

...Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents to settle the petitioner's retirement benefits including Leave Salary, Gratuity and Dearness Allowance Arrears etc. with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently direct the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 30.6.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

For Petitioner :: Mr.M.Selvam  
For Respondents :: Mr.S.Sairaman

O R D E R

Mr.V.Dilli Chakkarapani has filed this writ petition for issuance of a writ of mandamus directing the respondents to

settle the petitioner's retirement benefits including Leave Salary, Gratuity and Dearness Allowance Arrears, etc., with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently, directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.6.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

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

3. The petitioner joined as Driver on 28.03.1992 in Thanthai Periyar Transport Corporation Limited, Villupuram and retired as Special Grade Driver on 30.06.2013, while working in the Tiruttani Branch, Kanchipuram region office of the second respondent corporation. He was drawing basic pay of Rs.11,300/- at the time of retirement. Now, the grievance of the petitioner is that except a sum of Rs.3,69,925/- towards provident fund, the other retirement terminal benefits like Gratuity, Leave Surrender (Earned Leave), DA arrears have not been settled till date by the respondents 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 respondents to settle the entire terminal benefits due and payable to the petitioner through twelve equal monthly installments carrying interest of 6% p.a. The installments should commence from May 2016 and each of the installments should be paid on or before 7th of each month. In case of any delay in the payment of the installments, 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 installments. No costs.

s/d-  
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1.The Managing Director,  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited,  
Vazhuthareddy,  
Villupuram 605 602.

2.The General Manager,  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited,  
Kancheepuram Region,  
Kancheepuram 631 552.

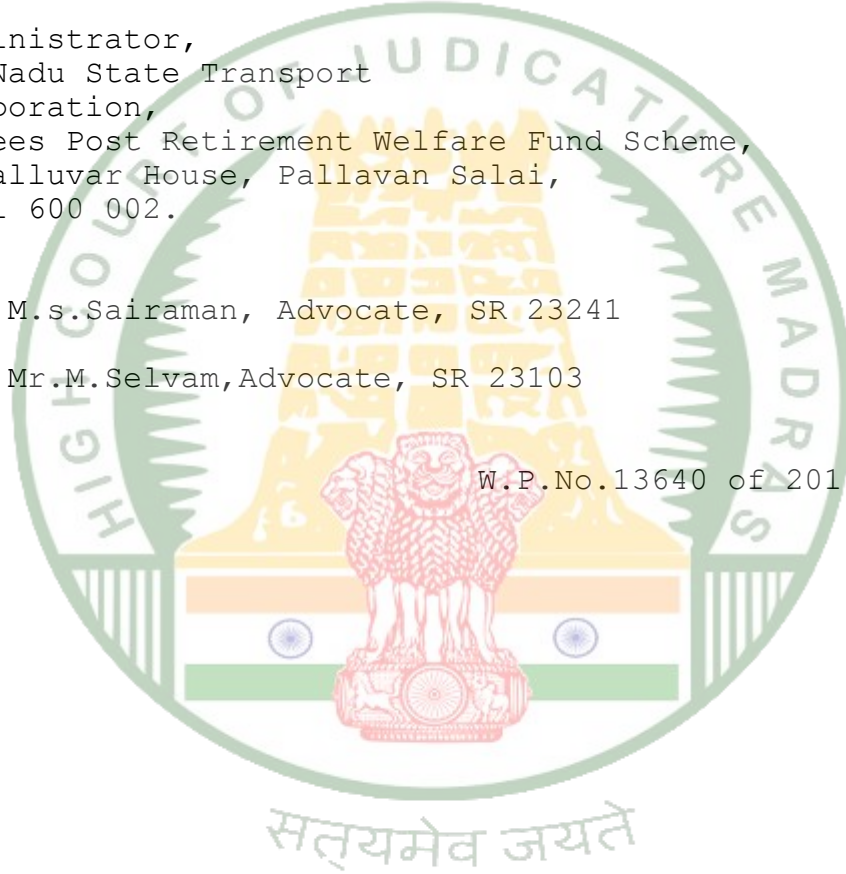
3.The Administrator,  
Tamil Nadu State Transport  
Corporation,  
Employees Post Retirement Welfare Fund Scheme,  
Thiruvalluvar House, Pallavan Salai,  
Chennai 600 002.

+ 1 cc to M.s.Sairaman, Advocate, SR 23241

+ 1 cc to Mr.M.Selvam, Advocate, SR 23103

mpI(co)  
prk23/5

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