

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:- 13.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13732 of 2016

A.Mathiazhagan

...Petitioner

Versus

- 1.The Government of Tamilnadu,
Rep. by Principal Secretary to Government,
Transport Department,
Fort St.George,
Chennai 600 009.
 - 2.The Managing Director,
State Express Transport Corporation,
Pallavan Salai,
Chennai 600 002.
 - 3.The Administrator,
The Tamil Nadu State Transport Corporation Pension
Fund Trust,
Thiruvallur-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 2nd and 3rd respondents to disburse the retirement benefits of provident fund contribution amount -Rs.6,25,000/-, Earned Leave Surrender Salary for a sum of Rs.1,10,000/-, Pension Commutation amount for a sum of Rs.2,50,000/-, Pension Arrears amount for a sum of Rs.16,640/- and Institute of Road Transport Contribution amount for a sum of Rs.4,500/- employees welfare fund-Rs.45,000/- totally comes to Rs.10,51,140/- (Rupees Ten lakhs fifty one thousand one hundred and forty only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.08.2014 as Selection Grade Conductor in the 2nd respondent's office based on the order made in W.P.(MD) No.14663 of 2015 dated 21.08.2015.

For Petitioner :: Mr.D.Veerasekaran

For Respondents ::Mr.R.Vijayakumar for R1
Additional Government Pleader
Mr.P.Kannan Kumar for R2 and R3

O R D E R

Mr.A.Mathiazhagan has filed this writ petition for issuance of a writ of mandamus directing the the 2nd and 3rd respondents to disburse the retirement benefits of provident fund contribution amount -Rs.6,25,000/-, Earned Leave Surrender Salary for a sum of Rs.1,10,000/-, Pension Commutation amount for a sum of Rs.2,50,000/-, Pension Arrears amount for a sum of Rs.16,640/- and Institute of Road Transport Contribution amount for a sum of Rs.4,500/- employees welfare fund-Rs.45,000/- totally comes to Rs.10,51,140/- (Rupees Ten lakhs fifty one thousand one hundred and forty only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.08.2014 as Selection Grade Conductor in the 2nd respondent's office based on the order made in W.P.(MD) No.14663 of 2015 dated 21.08.2015.

2.Heard the learned counsel for the petitioner. Mr.R.Vijayakumar, learned Additional Government Pleader takes notice on behalf of the first respondent and Mr.P.Kannan Kumar, learned counsel takes notice for the second and third respondents.

3.The petitioner joined as Assistant Helper on 23.03.1981 in Thiruvalluvar Transport Corporation Limited, now renamed as State Express Transport Corporation and he was regularized as Conductor on 01.09.1986, upgraded as Selection Grade Conductor on 01.09.2000 and retired on 31.08.2014, while working in Tanjore region office of the second respondent corporation. Now, the grievance of the petitioner is that except a sum of Rs.4,75,246/- towards gratuity amount, the above said retirement terminal benefits have not been settled till date by the respondents to him. Further, he has given a representation dated 18.03.2016 to the second respondent but the same has not been considered by them.

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 retirement 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.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

vri

To

1. Principal Secretary to Government,
The Government of Tamilnadu,
Transport Department,
Fort St.George,
Chennai 600 009.
- 2.The Managing Director,
State Express Transport Corporation,
Pallavan Salai,
Chennai 600 002.
- 3.The Administrator,
The Tamil Nadu State Transport Corporation Pension
Fund Trust,
Thiruvallur-House,
Pallavan Salai,
Chennai 600 002.

1 cc to Mr.D. Veerasekaran, Advocate, Sr. 23117

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