

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:- 13.04.2016

CORAM:
THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13735 of 2016

P.Rajagopal

...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,
Tamilnadu State Transport Corporation (VPM) Ltd.,
3/137 Salamedu,
Valuthareddy Post,
Villupuram 605 602.

....Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the 2nd respondent to disburse the retirement benefits of Gratuity for a sum of Rs.4,85,000/, (Rupees Four Lakhs eighty five thousand only) with 18% interest on delayed payment to the petitioner who is retired from service on 30.11.2012 as Driving Instructor 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

O R D E R

Mr.P.Rajagopal has filed this writ petition for issuance of a writ of mandamus directing the 2nd respondent to disburse the retirement benefits of Gratuity for a sum of Rs.4,85,000/, (Rupees Four Lakhs eighty five thousand only) with 18% interest on delayed payment to the petitioner who is retired from service on 30.11.2012 as Driving Instructor 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 respondent.

3.The petitioner joined as Driver on 11.11.1978 at Tamilnadu State Transport Corporation (VPM) Ltd. and he was regularized as Conductor on 03.02.1992, upgraded as Senior Driver on 25.05.2001 and promoted as Driving Instructor on 25.05.2009. After completion of 33 years, he was relieved from the service on attainment of superannuation on 30.11.2012 at Cuddalore region office of the second respondent corporation. Now, the grievance of the petitioner is that except a sum of Rs.1,12,163/- towards provident fund, the above said retirement terminal benefits 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 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.The Principal Secretary to Government,
The Government of Tamilnadu,
Transport Department,
Fort St.George,
Chennai 600 009.

WEB COPY

2.The Managing Director,
Tamilnadu State Transport Corporation (VPM) Ltd.,
3/137 Salamedu,
Valuthareddy Post,
Villupuram 605 602.

1 cc to Mr.D. Veerasekaran, Advocate, Sr. 23120

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