

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13915 of 2016
and
W.M.P. No.12192 of 2016

N.Rajendran

... Petitioner

-Vs-

- 1.The Secretary,
Tamil Nadu Transport Department,
Secretariat, Chennai 600 009.
- 2.The Manager,
Tamil Nadu State Transport Corporation,
Employees Pension Department,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.
- 3.The Managing Director,
Tamil Nadu State Transport Corporation,
No.27, Railway Station New Road,
Kumbakonam - 621 001.
- 4.The General Manager,
Tamil Nadu State Transport Corporation,
No.27, Railway Station New Road,
Kumbakonam, Thanjavur District.
- 5.The General Manager,
Tamil Nadu State Transport Corporation,
Nagapattinam, Nagapattinam District.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to settle the entire retirement benefits amount within a stipulated time with interest for the payment.

For Petitioner : Mr.K.M.Subrahmaniam

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

Mr.D.Venkatachalam for R2 to R5

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondents to settle the entire retirement benefits amount within a stipulated time with interest for the payment.

2. Heard the learned counsel for the petitioner. . K.J.Sivakumar, learned Government Advocate takes notice for the first respondent. Mr.D.Venkatachalam, learned Standing Counsel takes notice on behalf of respondents 2 to 5.

3. The petitioner, who served as Assistant Engineer in the Tamil Nadu State Transport Corporation, was retired from service on 31.08.2015 while working in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, leave salary amount, commutation and CESS amount along with college share amount, 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. Consequently, connected W.M.P. is closed.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

vga

To

1.The Secretary,
Tamil Nadu Transport Department,
Secretariat, Chennai 600 009.

2.The Manager,
Tamil Nadu State Transport Corporation,
Employees Pension Department,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-600 002.

3.The Managing Director,
Tamil Nadu State Transport Corporation,
No.27, Railway Station New Road,
Kumbakonam - 621 001.

4.The General Manager,
Tamil Nadu State Transport Corporation,
No.27, Railway Station New Road,
Kumbakonam, Thanjavur District.

5.The General Manager,
Tamil Nadu State Transport Corporation,
Nagapattinam, Nagapattinam District.

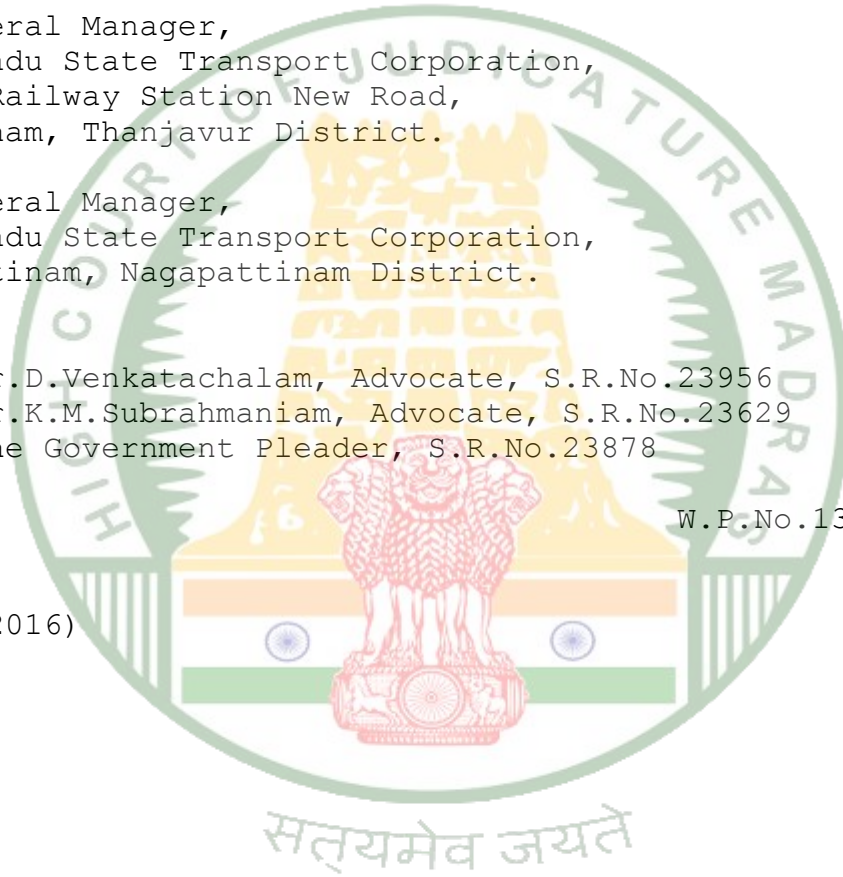
+1cc to Mr.D.Venkatachalam, Advocate, S.R.No.23956

+1cc to Mr.K.M.Subrahmaniam, Advocate, S.R.No.23629

+1cc to the Government Pleader, S.R.No.23878

W.P.No.13915 of 2016

SVI (CO)
CA(11/05/2016)



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