

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13883 of 2016

C.Jaganathan

.. Petitioner

-vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
No.12, Ramakrishna Road,
Salem-636 007.

2.The Administrator,
Tamil Nadu State Transport Corporation,
(Salem) Limited,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 31.05.2013 within the time stipulated by this Court.

For Petitioner :: Mr.A.Selvaraju

For Respondents :: Mr.R.K.Gandhi

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondents to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 31.05.2013 within the time stipulated by this Court.

2. Heard the learned counsel for the petitioner. Mr.R.K.Gandhi, learned Standing counsel takes notice on behalf of the respondents.

3. The petitioner joined as a Junior Tradesman in the first respondent Corporation on 08.12.1975 and he was retired from service on 31.05.2013 while working at the head office training centre of the first respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, Employees Retirement Benefit Fund Scheme Pension, surrender leave salary i.e. Earned leave, salary to be paid for medical leave and earned leave already surrendered but yet to be paid for 45 days, 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(CO)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

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To

1.The Managing Director,
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2.The Administrator,
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1cc to Mr.R.K.Gandhi, Advocate Sr.23729

W.P.No.13883 of 2016

ad(CO)
srg(03/05/2016)



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