

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.13885 of 2016

K.Shanmugam

.. Petitioner

-vs-

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

.. Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 30.06.2013 within the time stipulated by this Court.

For Petitioner :: Mr.A.Selvaraju

For Respondent :: Mr.R.K.Gandhi

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondent to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 30.06.2013 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 respondent.

3. The petitioner joined as a Junior Assistant in the respondent Corporation on 20.05.1980 and he was retired from service on 30.06.2013 while working at Traffic Section of the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, surrender leave salary i.e. Earned leave, salary to be paid for medical leave, earned leave already debited but amount not paid and gratuity have not been till date settled by the respondent.

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 respondent 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//

Sub Assistant Registrar

To

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

+1 cc to A.Selvarasu, Advocate, sr.23646
+1 cc to Mr.R.K.Gandhi, Advocate, sr.23735

W.P.No.13885 of 2016

ad co
kra 03.05.2016

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