

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.1389 of 2016

G.Ghouse Basha

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport
Corporation [Villupuram] Limited,
Vazhuthareddy, Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport
Corporation [Villupuram] Limited,
Kancheepuram Region, Kancheepuram.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

... Respondents

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Leave Salary, Gratuity, Dearness Allowance arrears and all other attendant retirement benefits etc., with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits including the commuted value of pension, social security scheme arrears, provident fund, refund of institute of road transport arrears etc., to the petitioner payable from the date of retirement i.e., 31.03.2014 to till date of actual payment to the petitioner.

For Petitioner	: Mr.T.Pappaiah Dharamarajan
For Respondents	: Mr.S.Sairaman

O R D E R

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that he joined the service in the respondents' Corporation as Conductor and he retired from service on 31.03.2014 on attaining the age of superannuation. On the date of retirement, the petitioner was paid a sum of Rs.1,76,000/- towards Provident Fund and other terminal benefits of Rs.11,80,000/- were not settled by the respondents. Hence, he made a representation dated 30.12.2015 to the first respondent. Since no order has been passed by the first respondent, the present Writ Petition has been filed by the petitioner.

3.Heard the submissions of Mr.T.Pappaiah Dharamarajan, learned counsel appearing for the petitioner and Mr.S.Sairaman, learned Standing Counsel takes notice on behalf of the respondents.

4.Learned counsel appearing for the petitioner has drawn the attention of this Court to a common judgment dated 12.06.2015 made in W.A.[MD].Nos.383 to 457 of 2015 and would submit that in similar facts and circumstances, the respondents' Corporation undertook to pay the amount due and payable in 12 equal monthly installments and hence similar orders may be passed.

5.This Court, taking into consideration the above facts and circumstances and without going into the merits of the same, directs the second respondent to consider and dispose of the representation of the petitioner dated 30.12.2015 and pass orders, on merits and in accordance with law and in the light of the common judgment dated 12.06.2015 made in W.A.[MD]Nos.383 to 457 of 2015, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

6.The Writ Petition is disposed of accordingly. No costs.

sd/-

Assistant Registrar(CCC)

/TRUE COPY/

Sub-Assistant Registrar

sri

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation [Villupuram] Limited,
Vazhuthareddy, Villupuram - 605 602.

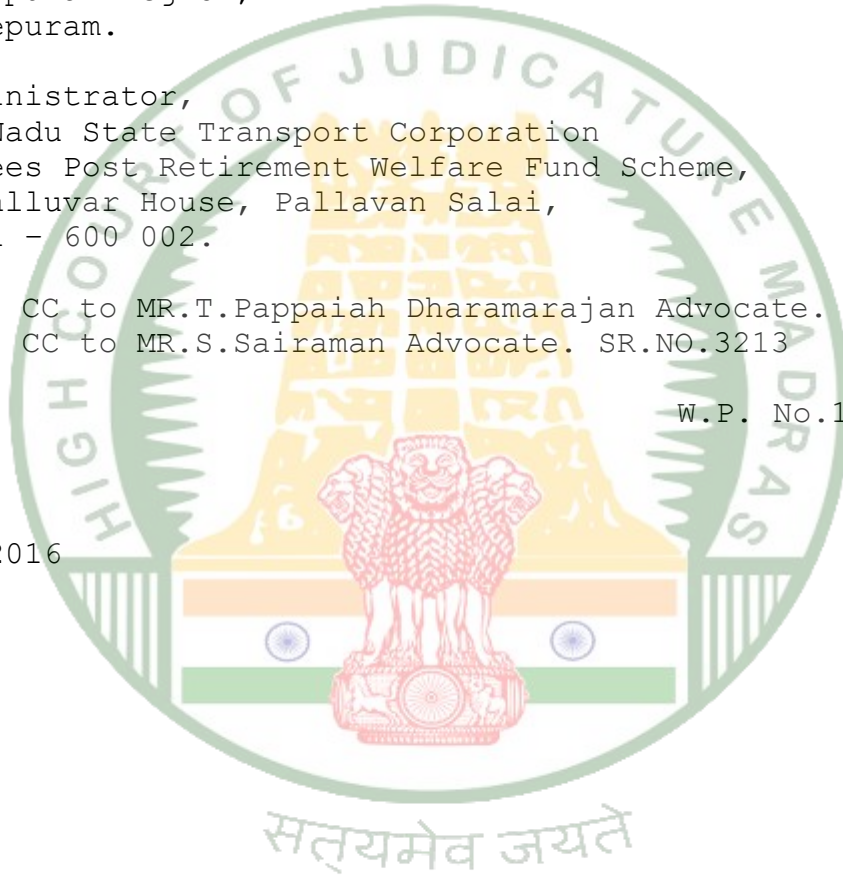
2.The General Manager,
Tamil Nadu State Transport
Corporation [Villupuram] Limited,
Kancheepuram Region,
Kancheepuram.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

+1 CC to MR.T.Pappaiah Dharamarajan Advocate. SR.NO.2604
+1 CC to MR.S.Sairaman Advocate. SR.NO.3213

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CO-CA
JD 02/02/2016



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