

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.14146 of 2016

P.Balasubramanian

.. Petitioner

Vs.

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

.. Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of certiorarified mandamus to call for the records pertaining to the order passed by the respondent in Note No.7660/TNSTC/SLM/Legal/2016 Dated 24-03-2016 and quash the same, consequently directing the respondent to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 8.2.2013 within the time stipulated by this Court.

For Petitioner : Mr.A.Selvaraju
For Respondent : Mr.R.K.Gandhi

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition challenging the order passed by the respondent in Note No.7660/TNSTC/SLM/Legal/2016 dated 24-03-2016 and consequently, to direct the respondent to settle all the terminal benefits due and payable to him with interest at 12% per annum with effect from 8.2.2013 within the time stipulated by this Court.

3. It is the case of the petitioner that he joined the services of the Transport Corporation as a Record Clerk on 7.3.1983 and after completion of 30 years of service, he retired from service under Voluntary Retirement Scheme. Now, the grievance of the petitioner is that though he retired from service long before, till date, he was not paid with the retirement benefits. In this regard, the petitioner submitted several representations before the respondent, on various dates. However, the respondent by the impugned order dated 24.3.2016 stated that since the State Transport Corporation is facing crucial financial crises, his benefits would be settled on receipt of sufficient fund. Challenging the same, the petitioner has come up with the present writ petition.

4. I have heard the learned counsel appearing for the petitioner and the learned counsel, who has taken notice on behalf of the respondent.

5. The issue involved in the present writ petition is squarely covered by the judgment of the Division Bench of the Madurai Bench, of this Court dated 12.6.2015 made in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others).

6. Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefits to the petitioner herein, in twelve equal monthly instalments, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others), dated 12.06.2015. It is also made clear that the first instalment shall commence from 1.2.2017.

7. With the above direction, the present writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sbi

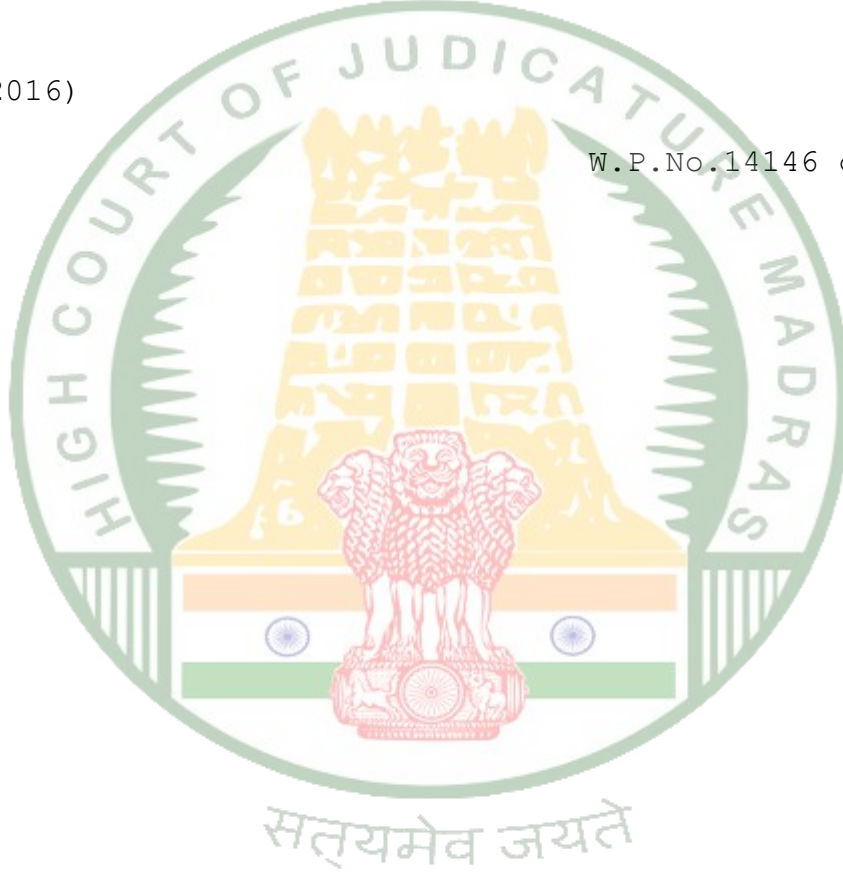
To

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

+lcc to Mr.A. Selvarasu, Advocate, S.R.No.62505

nr(CO)
md(29/11/2016)

W.P.No.14146 of 2016



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