

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.NO.14353 OF 2016

V.Periyasamy .. Petitioner
-vs-

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

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue 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 31.03.2011 within the time that may be stipulated by this Court.

For Petitioner - Mr.A.Selvaraju

For Respondent - Mr.R.K.Gandhi

O R D E R

The petitioner, Mr.V.Periyasamy, 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 him with interest at 12% per annum with effect from 31.03.2011 within the time that may be stipulated by this Court.

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

3.The petitioner joined as Junior Assistant in the year 1980 in the respondent Transport Corporation and retired as Superintendent on 31.03.2011, while working in the Bills Section of the respondent Corporation, on reaching the age of superannuation. Now the grievance of the petitioner is that his retirement benefits, namely, dearness allowance arrears and encashment of earned leave etc., have not been till date settled by the respondent.

4.Since the issue is squarely covered by the 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 vs. 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(CS IV)

//True Copy//

Sub Assistant Registrar

To

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

+1cc to Mr.A.Selvaraju, Advocate, S.R.No.24413

+1cc to Mr.R.K.Gandhi Standing Counsel for TNSTC, S.R.No.24615

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

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