

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.NO.14545 OF 2016

N.S.Sree Hari

.. Petitioner

-vs-

1. Tamil Nadu State Transport Corporation
(Villupuram) Limited
Rep. By the Managing Director
3/137, Salamedu,
Velutha Reddy Post, Villupuram - 605 602.

2.Tamil Nadu State Transport Corporation
(Villupuram) Limited
Rep. By the General Manager
Kancheepuram Region, Kancheepuram - 631 552.

3.Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Employees Post Retirement Welfare Fund Scheme
Rep. By the Administrator
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002. ... Respondents

PRAYER: Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to settle the retirement benefits payable to the petitioner including service gratuity, commutation amount, leave salary, dearness allowance arrears, revised pension with arrears and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering and passing orders on the representation of the petitioner dated 07.04.2016.

For Petitioner :: Mr.K.Selvaraj

For Respondents :: Mr.S.Sairaman

O R D E R

The petitioner, Mr.N.S.Sree Hari, has filed this writ petition for issuance of a writ of mandamus directing the respondents to settle the retirement benefits payable to him

including service gratuity, commutation amount, leave salary, dearness allowance arrears, revised pension with arrears and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering and passing orders on his representation dated 07.04.2016.

2.Heard the learned counsel for the petitioner. Mr.S.Sairaman, learned counsel takes notice on behalf of the respondents.

3.The petitioner joined as Helper (Painter) in the year 1978 in the erstwhile Pallavan Transport Corporation (Metro) Ltd., and retired as Senior Tradesman on 30.09.2015, while working in Koyambedu-II Branch of the respondent Corporation on reaching the age of superannuation. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, dearness allowance arrears and encashment of unearned leave on private affairs etc., have not been till date settled by the respondents.

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 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//

Sub Assistant Registrar

To

1.The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited
3/137, Salamedu,
Velutha Reddy Post, Villupuram - 605 602.

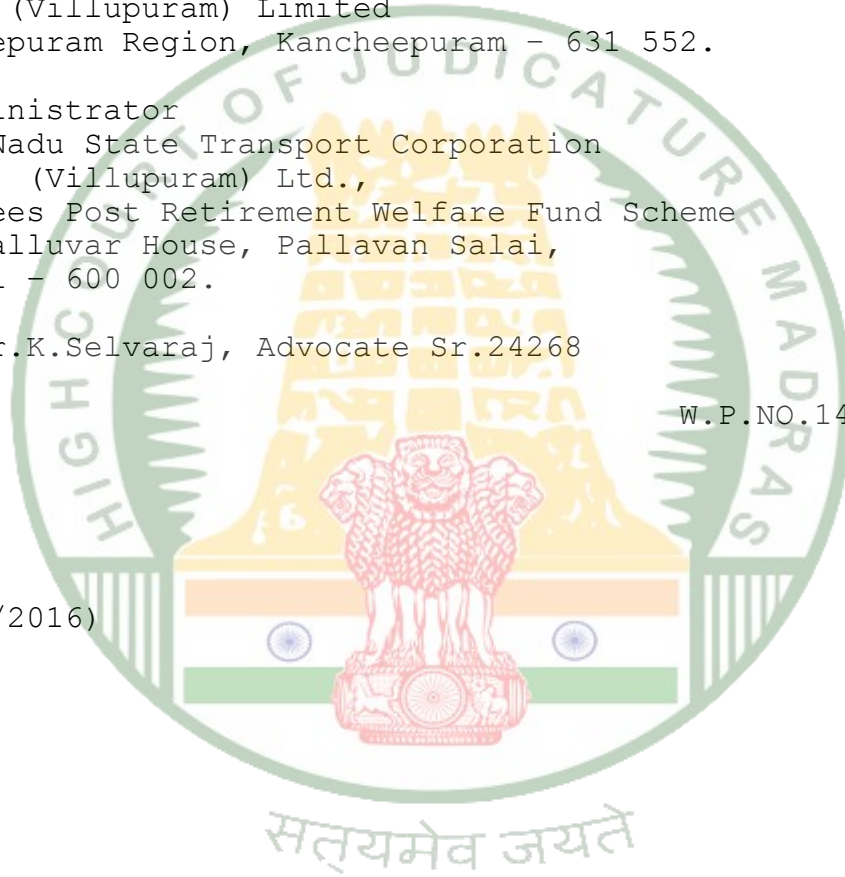
2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Kancheepuram Region, Kancheepuram - 631 552.

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

+2cc to Mr.K.Selvaraj, Advocate Sr.24268

W.P.NO.14545 OF 2016

mg (CO)
srg (28/04/2016)



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