

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14697 of 2016

U.Sadullakhan

...Petitioner

.Vs.

- 1 Tamilnadu State Transport Corporation (Villupuram) Ltd.,
rep. by its Managing Director,
Vazhuthareddy,
Villupuram.
- 2 The General Manager,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region,
Rangapuram,
Vellore-9.
- 3 Tamilnadu State Transport Corporations Employees Pension
Trust
Rep.by its Administrator,
Thiruvalluvar Illam
Anna Salai,
Chennai-600 002.

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to pay the petitioner, a sum of Rs.8,08,868/- towards gratuity, a sum of Rs.3,24,794/- towards commuted value of pension and a sum of Rs.2,65,999/- towards encashment of the earned leave and the medical leave which was standing to his credit prior to 1998 and also a sum of Rs.14,575/- towards earned salary for the period from 21.09.2015 to 30.09.2015 and in total to pay him a sum of Rs.15,04,603/- together with interest at the rate of 12% within a specified time with costs.

For petitioner : Mr.R.Krishnaswamy
For Respondents : Mr.S.Sairaman

ORDER

The petitioner, Mr.U.Sadullakhan, has filed this Writ Petition for issuance of a Writ of Mandamus, directing the respondents to pay the retirement benefits to the petitioner namely, a sum of Rs.8,08,868/- towards gratuity, a sum of Rs.3,24,794/- towards commuted value of pension and a sum of Rs.2,65,999/- towards encashment of the earned leave and the medical leave, which was standing to his credit prior to 1998 and also a sum of Rs.14,575/- towards earned salary for the period from 21.09.2015 to 30.09.2015 and in total to pay him a sum of Rs.15,04,603/- together with interest at the rate of 12% within a specified time with costs.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3.The petitioner joined as Helper on 20.05.1982 and retired from service as Senior Tradesman on 30.09.2015. Now, the grievance of the petitioner is that his retirement benefits, namely, a sum of Rs.8,08,868/- towards gratuity, a sum of Rs.3,24,794/- towards commuted value of pension and a sum of Rs.2,65,999/- towards encashment of the earned leave and the medical leave, which was standing to his credit prior to 1998 and also a sum of Rs.14,575/- towards earned salary for the period from 21.09.2015 to 30.09.2015 and in total to pay him a sum of Rs.15,04,603/- together with interest at the rate of 12%, etc., have not been settled till date 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 12.06.2015 (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 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 June, 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 II)

//True Copy//

Sub Assistant Registrar

To

- 1 The Managing Director,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Vazhuthareddy,
Villupuram.
- 2 The General Manager,
Tamilnadu State Transport Corporation (Villupuram) Ltd.,
Vellore Region,
Rangapuram,
Vellore-9.
- 3 The Administrator,
Tamilnadu State Transport Corporations Employees Pension
Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-600 002.

सत्यमेव जयते

W.P.No.14697 of 2016

nr(CO)
srg(13/05/2016)

WEB COPY