

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14743 of 2016

S.Gnanasekaran

... Petitioner

.Vs.

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

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

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ Mandamus, directing the respondents to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 1.4.2014 within the stipulated period.

For petitioner : Mr.A.Selvaraju

For Respondents : Mr.R.K.Gandhi

ORDER

The petitioner, Mr.S.Gnanasekaran, has filed this Writ Petition for issuance of a Writ of Mandamus, directing the respondents to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 1.4.2014 within the stipulated period.

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

3.The petitioner joined as Driver in the year 1985 in the 1st respondent Corporation and retired as Senior Driver (DR 1941) on 30.03.2014, while working in the Johnsonpet-II branch of the 1st respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, employees retirement benefits fund scheme pension, surrender leave salary, salary to be paid for medical leave and commutation, etc., have not been till date settled by the respondents.

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 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.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mps

To

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

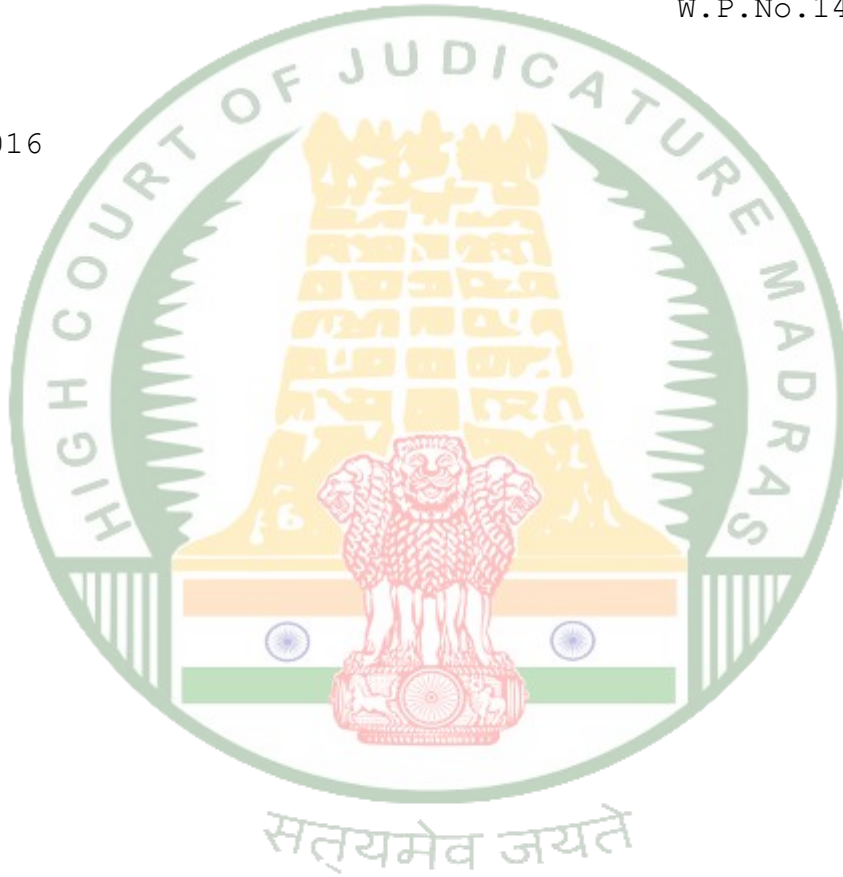
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2.The Administrator,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

+1 cc to Mr.R.K.Gandhi (TNSTC) Sr.24618
+1 cc to Mr.A.Selvaraju Advocate sr.24739

W.P.No.14743 of 2016

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