

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14820 of 2016

A.Pandian

.. Petitioner

-vs-

1.The Managing Director

Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.

2.The General Manager

Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Kancheepuram Region, Kancheepuram.

3.The Administrator

Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including leave salary, gratuity, commutation and dearness allowance arrears etc. with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.01.2014 to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

For Petitioner :: Mr.M.Selvam
For Respondents :: Mr.S.Sairaman

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondents to settle the petitioner's retirement benefits including leave salary, gratuity, commutation and dearness allowance arrears etc. with interest at the rate of not less than 12% per annum payable from

the date of retirement and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.01.2014 to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

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

3. The petitioner joined the service in the Pallavan Transport Corporation (Chennai Division) as a Driver on 12.11.1980 and he was retired from service on 31.01.2014 while working in the second respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, gratuity, leave 74 days E.L., D.A. arrears in pension, commutation, salary arrears and pension arrears etc., have not been till date settled by the respondents.

4. Since the issue is squarely covered by 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 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 12% 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 III)

//True Copy//

Sub Assistant Registrar

To

1.The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.

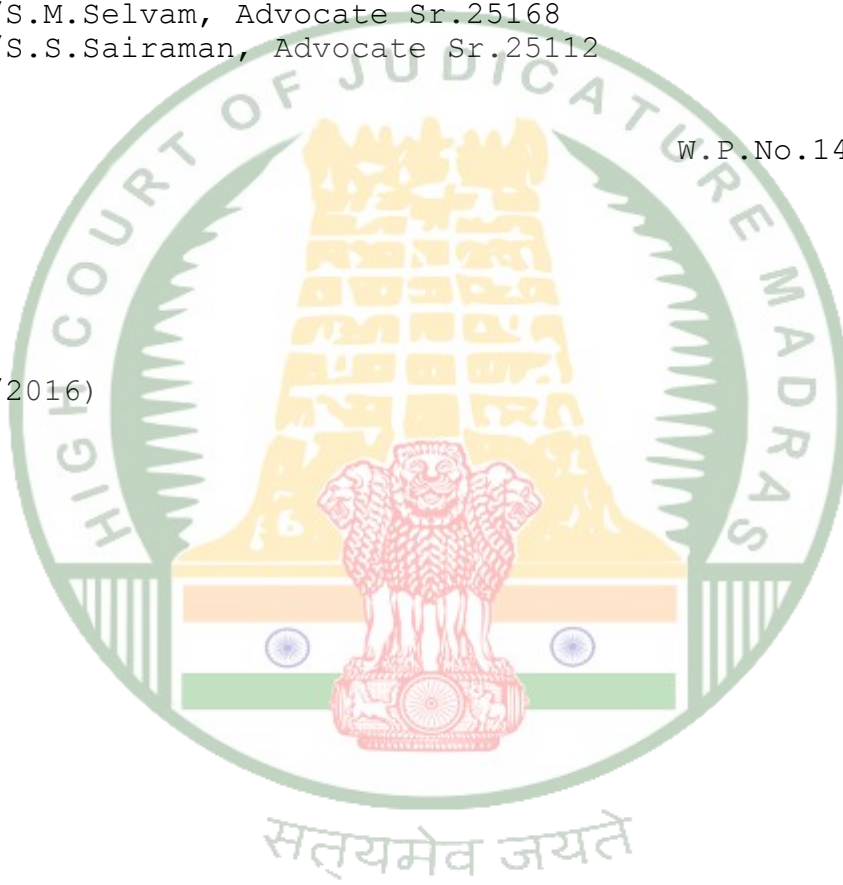
2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Kancheepuram Region, Kancheepuram.

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

+lcc to M/S.M.Selvam, Advocate Sr.25168
+lcc to M/S.S.Sairaman, Advocate Sr.25112

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nr(CO)
srg(17/05/2016)



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