

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15421 of 2016

S.Subramanian

...Petitioner

.Vs.

- 1 The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem-007.
- 2 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-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 settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 31.03.2013, in view of petitioner's representation dated 28.03.2016 within a stipulated time.

For petitioner : Mr.G.Peranban

For Respondents : Mr.R.K.Gandhi

ORDER

The petitioner Mr.S.Subramanian, 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 31.03.2013, in view of the petitioner's representation dated 28.03.2016, within a stipulated time.

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

3.The petitioner joined as Conductor on 05.06.1977 in the Tamil Nadu Government Transport Corporation and retired from service as Transport Inspector on 31.03.2013. Now, the grievance of the petitioner is that his retirement benefits, namely, Gratuity Amount, Deposit, pending salary, pending monthly DA arrears and other benefits as per revised pay scale, 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-IV)

//True Copy//

Sub Assistant Registrar

mps

To

- 1 The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem-007.
- 2 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-002.

+1 cc to M/s.Peranban, Advocate, sr.26231

+1 cc to Mr.R.K.Gandhi, Advocate, sr.26093

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svi co, kra 06.05.2016