

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15753 of 2016

K.Rajendran

... Petitioner

-Vs-

- 1.The State of Tamil Nadu,
rep. by its Principal Secretary to Government,
Transport Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Managing Director,
State Express Transport Corporation,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.
- 3.The Administrator,
Tamil Nadu State Transport
Employees Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai 600 002.
- 4.The Financial Advisor and
Chief Accounts Officer,
State Express Transport Corporation,
Thiruvalluvar Illam, 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 retirement benefits payable to the petitioner with reference to Provident Fund along with LIC Policy amount, Encashment of Earned Leave, Social Security Leave Amount, Post Retirement Scheme Amount, Engineering College and Medical College Refund amount, revision of scale of pay with arrears of salary with effect from 01.09.2013 as per settlement and consequently revision of DA allowances and other retirement benefits with arrears along with interest, commutation of pension from the date of retirement by considering the representation submitted by the petitioner on 12.04.2016 within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.R.Vijayakumar,
Additional Government Pleader for R1

Mr.P.Kannan Kumar for R2 to R4

ORDER

The petitioner has filed this writ petition for issuance of a Writ of Mandamus, directing the respondents to settle the retirement benefits payable to him with reference to Provident Fund along with LIC Policy amount, Encashment of Earned Leave, Social Security Leave Amount, Post Retirement Scheme Amount, Engineering College and Medical College Refund amount, revision of scale of pay with arrears of salary with effect from 01.09.2013 as per settlement, revision of DA allowances and other retirement benefits with arrears along with interest, commutation of pension from the date of retirement by considering the representation submitted by him on 12.04.2016 within a time frame to be fixed by this Court.

2. Heard the learned counsel for the petitioner. Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for R1 and Mr.P.Kannan Kumar, learned Standing Counsel takes notice for R2 to R4.

3. The petitioner joined the service as a Conductor in Mardhupandiyar Transport Corporation in the year 1984 and he was retired from service on 31.03.2014 on reaching the age of superannuation while working in the said respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Provident Fund including LIC Policy amount, Encashment of Earned Leave, Social Security Scheme Amount, Post Retirement benefit Scheme Amount, Engineering College and Medical College Deposit Refund amount, revision of scale of pay with arrears of salary and commutation of payment, 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 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 VI)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Secretary to Government,
Transport Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.The Managing Director,
State Express Transport Corporation,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.
- 3.The Administrator,
Tamil Nadu State Transport
Employees Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai 600 002.
- 4.The Financial Advisor and
Chief Accounts Officer,
State Express Transport Corporation,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.27087
+1cc to the Government Pleader, S.R.No.27353

W.P.No.15753 of 2016

NR(CO)
CA(27/05/2016)