

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15894 of 2016

K.Bhaskaran

.. Petitioner

-VS-

1.The Principal Secretary to Government,
Transport Department,
Fort St. George,
Chennai-600 009.

2.The Managing Director,
Metropolitan Transport Corporation
(Chennai) Limited,
Pallavan Salai,
Chennai 600 002.

3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
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 second respondent to disburse the retirement benefits of Earned Leave Surrender Salary for a sum of Rs.4,85,000/-, Pension Commutation amount of Rs.4,86,384/- and Encashment of Leave on Private Affairs amount of Rs.1,10,000/- totalling to Rs.10,81,384/- with 18% interest on delayed payment to the petitioner, who is retired from service on 31.05.2015 as Assistant Manager in the second respondent's office based on the order made in W.P. No.10116 of 2016 dated 18.03.2016.

For Petitioner :: Mr.D.Veerasekaran

For Respondents:: Mr.R.Vijayakumar,
Additional Government Pleader for R1
Mr.P.Kannan Kumar for R2 and R3

ORDER

The petitioner has filed this writ petition for issuance of a Writ of Mandamus, directing the second respondent to disburse the retirement benefits of Earned Leave Surrender Salary for a sum of Rs.4,85,000/-, Pension Commutation amount of Rs.4,86,384/- and Encashment of Leave on Private Affairs amount of Rs.1,10,000/- totalling to Rs.10,81,384/- with 18% interest on delayed payment to the petitioner, who is retired from service on 31.05.2015 as Assistant Manager in the second respondent's office based on the order made in W.P. No.10116 of 2016 dated 18.03.2016.

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 and R3.

3. The petitioner joined the service as an Assistant Foreman in Pallavan Transport Corporation on 22.06.1982 and he was retired from service on 31.05.2015 on reaching the age of superannuation while working in the second respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Earned Leave Surrender Salary, Pension Commutation and Encashment of Leave on Private Affairs, 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.

vga

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The Principal Secretary to Government,
Transport Department,
Fort St. George,
Chennai-600 009.

2.The Managing Director,
Metropolitan Transport Corporation
(Chennai) Limited,
Pallavan Salai,
Chennai 600 002.

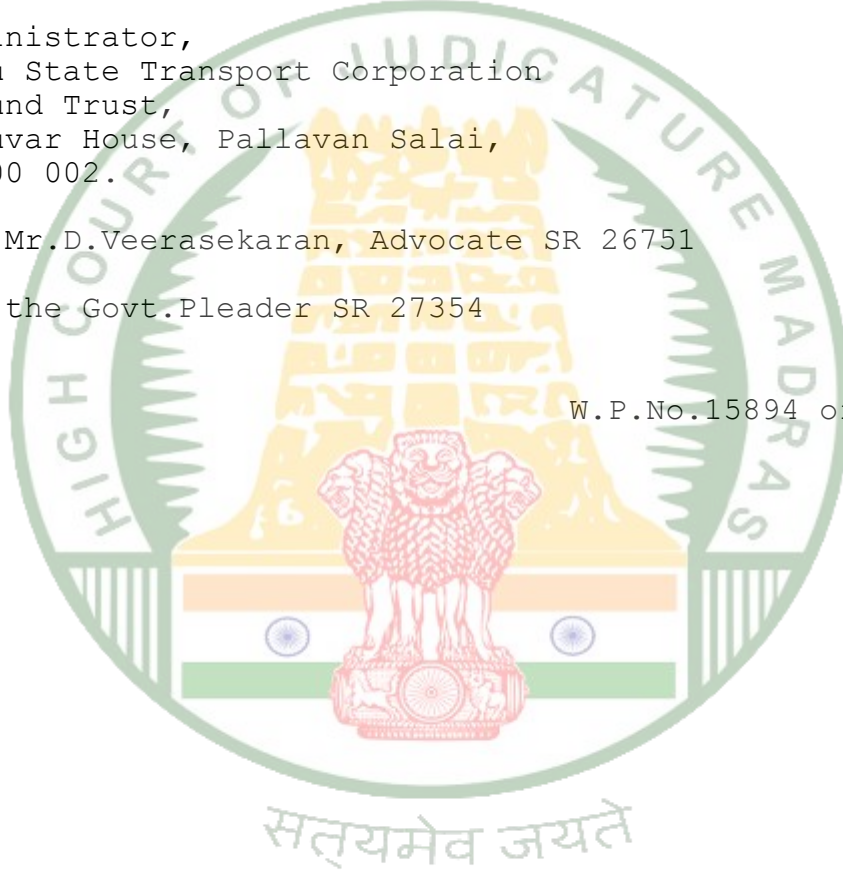
3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

+ 1 cc to Mr.D.Veerasekaran, Advocate SR 26751

+ 1 cc to the Govt.Pleader SR 27354

GJII(co)
prk20/5

W.P.No.15894 of 2016



WEB COPY