

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16080 of 2016

S.Periyasamy

.. Petitioner

-VS-

The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited,
12, Ramakrishna Salai,
Salem-636 007.

.. Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to pay the retirement benefits such as Gratuity and Leave Surrender Earned Leave etc. payable to the petitioner with interest at the rate of 18% from 31.08.2012, the date of retirement.

For Petitioner :: Mr.A.Nagarathinam

For Respondent :: Mr.R.K.Gandhi

ORDER

The petitioner has filed this writ petition for issuance of a Writ of Mandamus, directing the respondent to pay the retirement benefits such as Gratuity and Leave Surrender Earned Leave etc. payable to him with interest at the rate of 18% from 31.08.2012, the date of retirement.

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

3. The petitioner joined the service as a Conductor in the Transport Corporation on 01.05.1979 and he was retired from service on 03.08.2012 on attaining the age of superannuation while working in the said respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Gratuity and Leave Surrender Earned Leave etc. have not been till date settled by the respondent.

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 respondent 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

True Copy

Sub-Assistant Registrar

To

The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited,
12, Ramakrishna Salai,
Salem-636 007.

+ 1 cc to Mr.A.Nagarthinam, Advocate SR 27558

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