

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:- 28.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16180 of 2016

S.Pandian

...Petitioner

Versus

M/s.Tamil Nadu State Express Transport Corporation,
Rep. By its Managing Director,
Pallavan Salai,
Chennai 600 002.

....Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to settle the petitioner's terminal benefits of provident fund of Rs.3,51,456/- Earn leave and Medical Leave Salary amount of Rs.1,89,017/-, Surrender of pension by way of commutation Rs.3,11,326/-, withdrawal amount from E.E.C., and Medical College Rs.4,500/-, Social Security Scheme Rs.35,000/- and Leave on private affairs of Rs.70,000/- altogether a sum of Rs.9,61,299/- with interest at the rate of 12% P.A. , by considering the petitioner representation dated 02.03.2016.

For Petitioner :: Mr.D.Soundarraj

For Respondent ::Mr.R.K.Gandhi

O R D E R

Mr.S.Pandian has filed this writ petition for issuance of a writ of mandamus directing the respondent to settle the petitioner's terminal benefits of provident fund of Rs.3,51,456/- Earn leave and Medical Leave Salary amount of Rs.1,89,017/-, Surrender of pension by way of commutation Rs.3,11,326/-, withdrawal amount from E.E.C., and Medical College Rs.4,500/-, Social Security Scheme Rs.35,000/- and Leave on private affairs of Rs.70,000/- altogether a sum of Rs.9,61,299/- with interest at the rate of 12% P.A. , by considering the petitioner representation dated 02.03.2016.

2.Heard the learned counsel for the petitioner.

Mr.R.K.Gandhi, learned counsel takes notice on behalf of the respondent.

3.The petitioner was appointed as Junior Assistant on 17.07.1982 at the State Express Transport Corporation Limited. Subsequently, he was promoted as Assistant, Senior Assistant and Superintendent and after putting in 33 years of unblemished service, he retired from service on 30.06.2015. Now, the grievance of the petitioner is that provident fund of Rs.3,51,456/- Earn leave and Medical Leave Salary amount of Rs.1,89,017/-, Surrender of pension by way of commutation Rs.3,11,326/-, withdrawal amount from E.E.C., and Medical College Rs.4,500/-, Social Security Scheme Rs.35,000/- and Leave on private affairs of Rs.70,000/- altogether a sum of Rs.9,61,299/- with interest at the rate of 12% p.a. has not been settled to him. In this regard, he has also submitted a representation to the respondent for early disbursement.

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 12.6.2015 (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 retirement benefits due and payable to the petitioner through twelve equal monthly installments carrying interest of 6% p.a. The installments should commence from June 2016 and each of the installments should be paid on or before 7th of each month. In case of any delay in the payment of the installments, 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 installments. No costs.

Sd/-

Assistant Registrar(CS-III)

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Sub Assistant Registrar

vri

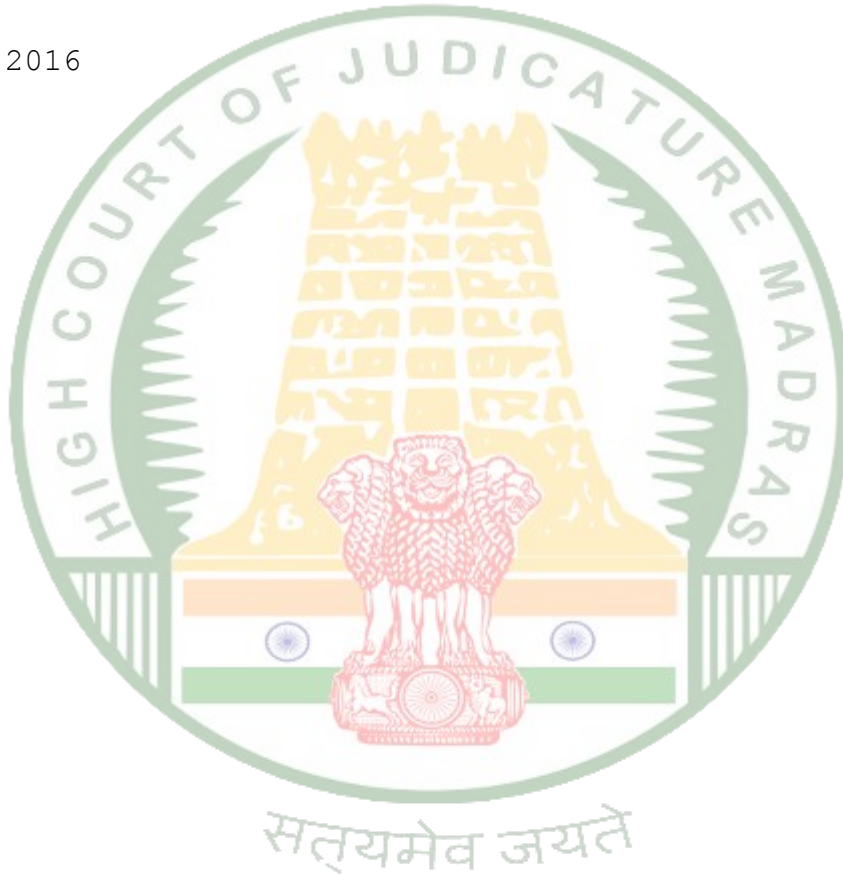
To

Managing Director,
M/s.Tamil Nadu State Express Transport Corporation,
Pallavan Salai,
Chennai 600 002.

1 cc to Mr.D.Soundarraaj, Advocate, sr.26949

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gj ii co
kra 26.05.2016



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