

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.No.16314 of 2016

S.Chinnusamy

... Petitioner

Versus

The Managing Director,
Tamilnadu State Transport Corporation (Salem) Limited,
12, Ramakrishna Road,
Salem 636 007.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus to direct the respondent herein to pay the entire retirement benefits such as Gratuity, commutation of pension, leave surrender pay, family welfare fund, provident fund (Employer Share) IRT share etc., with interest at 18% per annum from the date of retirement viz., 30.06.2015 till date of payment to the petitioner herein.

For petitioner : Mr.S.Balaji

For Respondent : Mr.R.K.Gandhi

O R D E R

The petitioner Mr.S.Chinnusamy has filed this writ petition for issuance of a writ of mandamus to direct the respondent herein to pay the entire retirement benefits such as Gratuity, commutation of pension, leave surrender pay, family welfare fund, provident fund (Employer Share) IRT share etc., with interest at 18% per annum from the date of retirement viz., 30.06.2015 till date of payment to the petitioner herein.

2.Heard the learned counsel for the petitioner. Mr.R.K.Gandhi, learned counsel takes notice for the respondent.

3.The petitioner joined as Driver on 25.08.1986 in Tamilnadu State Transport Corporation Kovai Ltd.. After completion of more

than 29 years of service, he retired on 30.06.2015, on reaching the age of superannuation. Now, the grievance of the petitioner is that the above said retirement terminal benefits have not been settled till date by the respondents to him. Further, he has given a representation dated 12.03.2016 to the first respondent but the same has not been considered by them.

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 VI)

//True Copy//

Sub Assistant Registrar

vri

To

The Managing Director,
Tamilnadu State Transport Corporation (Salem) Limited,
12, Ramakrishna Road,
Salem 636 007.

+1cc to Mr.S.Balaji, Advocate, S.R.No.27098

W.P.No.16314 of 2016

GJ II(CO)
CA(31/05/2016)