

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.16399 of 2016

T.Panchatcharam

... Petitioner

-Vs-

M/s.State Express Transport Corporation,
rep. by its Managing Director,
Pallavan Salai, Chennai-600 002.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to settle the terminal benefits of Provident Fund Amount Rs.1,88,000/-, Earned Leave Salary amount of Rs.1,12,146/-, Commutation of Rs.3,36,000/-, Erode Engineering College/Polytechnic/Perundurai Medical College of Rs.4,500/-, Social Security Scheme of Rs.28,000/- and Unearned leave on Private affairs of Rs.68,000/- altogether a sum of Rs.7,36,646/- with interest at the rate of 12% taking into consideration of the representation of the petitioner dated 22.04.2016.

For Petitioner : Mr.D.Soundarraaj

For Respondent : Mr.P.Kannan Kumar

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondent to settle the terminal benefits of Provident Fund Amount Rs.1,88,000/-, Earned Leave Salary amount of Rs.1,12,146/-, Commutation of Rs.3,36,000/-, Erode Engineering College/Polytechnic/ Perundurai Medical College of Rs.4,500/-, Social Security Scheme of Rs.28,000/- and Unearned leave on Private affairs of Rs.68,000/- altogether a sum of Rs.7,36,646/- with interest at the rate of 12% taking into consideration of the representation of the petitioner dated 22.04.2016.

2.Heard the learned counsel appearing for the petitioner. Mr.P.Kannan Kumar, learned Standing Counsel takes notice on behalf of the respondent.

3.The petitioner joined as a Junior Assistant in the Transport Corporation on 18.06.1981 and he was retired from service on attaining the age of superannuation on 30.04.2014 while working as a Senior Superintendent in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Provident Fund Amount, Earned Leave Salary amount, Commutation, Erode Engineering College/Polytechnic/Perundurai Medical College amount, Social Security Scheme amount and Unearned leave on Private affairs, have not been till date settled by the respondent.

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 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 VII)

//True Copy//

Sub Assistant Registrar

vga

To

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

+1cc to Mr.D.Soundarraaj, Advocate, S.R.No.27292
+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.27993

W.P. No.16399 of 2016

EV(CO)
CA(01/06/2016)