

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.17612 of 2016

M.K.Kannan

... Petitioner

Vs

1. Tamil Nadu State Transport Corporation (Villupuram) Limited
rep.by Managing Director
3/137, Salamedu
Vazhuthareddy Post
Villupuram 605 602.
2. Tamil Nadu State Transport Corporation(Villupuram) Limited
rep.by the General Manager
Kancheepuram Region
Kancheepuram 631 552.
3. Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Employees Post Retirement Welfare
Fund Scheme rep.by The Administrator
Thiruvalluvar House
Pallavan Salai, Chennai 600 002.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to settle the retirement benefits payable to the petitioner including Service Gratuity, leave salary, dearness allowance arrears, revised pay fixation with arrears and revised pension with arrears and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering the petitioner's representation dated 18.04.2016.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.P.Paramasivadosh
Standing Counsel for Transport
Corporation

O R D E R

The petitioner, M.K.Kannan, who joined the services as Driver in the erstwhile Pallavan Transport Corporation (Metro) Ltd., was transferred to the Tamil Nadu State Transport Corporation Ltd., (Villupuram) and retired from service on 30.09.2012. According to the petitioner, though he was retired from service on 30.09.2012, till date he was not paid with Service Gratuity, leave salary, dearness allowance arrears, revised pay fixation with arrears and revised pension with arrears etc. Hence, the present writ petition.

2. When the matter is taken up today for hearing, learned counsel appearing for the petitioner brought to the notice of this Court the common judgment dated 12.06.2015 passed by the Madurai Bench of this Court in W.A.(MD) Nos.383 to 457 of 2015 wherein under similar circumstances, the respondent-Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. He would further submit that following the same, this Court has passed similar orders in several writ petitions. Accordingly, he would pray that a similar order may be passed in this writ petition also.

3. Heard the learned counsel for the petitioner and Mr.P.Paramasivadosh, learned Standing Counsel for the respondent transport corporation, who took notice on behalf of the respondents.

4. Considering the facts and circumstances of the case and in view of the earlier orders passed by this Court in similar circumstances, without going into the merits of the matter, the respondents 1 and 2 are directed to disburse the aforementioned retiral benefits to the petitioner in twelve equal monthly instalments, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 dated 12.06.2015. It is also made clear that the first instalment shall commence from 01.07.2016.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
3/137, Salamedu
Vazhuthareddy Post
Villupuram 605 602.

2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Kancheepuram Region
Kancheepuram 631 552.

3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House
Pallavan Salai
Chennai 600 002.

+1cc to Mr.K.Selvaraj, Advocate, S.R.No.29042

+1cc to Mr.P.Paramasivadosh, Advocate, S.R.No.29261

W.P.No.17612 of 2016

GJ(CO)
CA(16/06/2016)

सत्यमेव जयते

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