

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.05.2016

C O R A M

THE HON'BLE Mr.JUSTICE M.V.MURALIDARAN

WP.No.18333/2016 & WMP.No.16038/2016

Mr.A.Israel

..Petitioner

Versus

- 1 The Principal Secretary
Government of Tamil Nadu
Transport Department
Secretariat, Fort St George
Chennai 600 009.
- 2 The Managing Director
Tamil Nadu State Transport Corporation
[VPM] Ltd., 3/137, Salamedu,
Villupuram 605 602.
- 3 The Financial Advisor
and Chief Accounts Officer
Tamil Nadu State Transport Corporation
[VPM] Ltd., 3/137, Salamedu,
Villupuram 605 602.
- 4 The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai 600 002.

..Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of mandamus directing the respondents 2 to 4 to settle the petitioner's retirement benefits such as gratuity amount, Reimbursement of Medical College and Engineering College amount, PF arrears, Pension DA arrears with 18% interest on delayed payment to the petitioner from 31.03.2013 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in WA [MD] Nos.383 to 457 of 2015 dated 12.06.2015.

For petitioner ... Mr.V.S.Jagadeesan
For R1 ... Mr.P.Sanjay Gandhi, AGP
For R2 to R4 ... Mr.S.Sairaman

ORDER

Heard the learned counsel for the petitioner ; Mr.P.Sanjay Gandhi, learned Additional Government Pleader accepting notice for the 1st respondent and Mr.S.Sairaman, learned counsel accepting notice for the respondents 2 to 4 and with their consent, the writ petition is taken up for final disposal at the admission stage itself.

2 The petitioner has filed the above writ petition seeking for a direction to the respondents 2 to 4 to settle the petitioner's retirement benefits such as gratuity amount, Reimbursement of Medical College and Engineering College amount, PF arrears, Pension DA arrears, with 18% interest on delayed payment to the petitioner from 31.03.2013 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in WA [MD] Nos.383 to 457 of 2015 dated 12.06.2015.

3 The petitioner joined as Conductor on 01.12.1983 in the erstwhile Pallavan Transport Limited and then transferred to the newly formed Puratchi Thalaivar MGR Transport Corporation Ltd., Kancheepuram and retired as Traffic Inspector on 31.03.2013 on attaining the age of superannuation. Now, the grievance of the petitioner is, his retirement benefits, namely, gratuity amount, Reimbursement of Medical College and Engineering College amount, PF arrears, Pension DA arrears, have not been till date settled by the respondents.

4 Since the issue is squarely covered by the various orders passed by this Court, in the light of Hon'ble Division Bench Judgment in WA [MD] Nos.383 to 457 of 2015 dated 12.06.2015 [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 respondents to settle the entire terminal benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest at 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% per annum for the delayed period apart from any other remedy which may be available to the petitioner for such non-payment. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

AP
To

- 1 The Principal Secretary
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Chennai 600 002.

+1cc to Mr.S. Sairaman, Advocate, S.R.No.28766
+1cc to Mr.V.S. Jagadeesan, Advocate, S.R.No.28720

KSJ(CO)
EU(30/05/2016)

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