

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.18513 of 2016

N.Jayaraman

... Petitioner

Versus

1. The Managing Director
Tamil Nadu State Transport
Corporation [Villupuram] Limited
Vazhuthareddy,
Villupuram 605602.
2. The General Manager
Tamil Nadu State Transport
Corporation [Villupuram] Limited
Kancheepuram Region
Kancheepuram 631552.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme, 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 to settle the petitioner's retirement benefits including Leave Salary, gratuity, commutation and Dearness Allowance arrears etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement, i.e., 30.09.2014 to till the actual payment to the petitioner within the time that may be stipulated by this Court.

For petitioner : Mr.T.Pappaiah Dharmarajan

For Respondents : Mr.S.Sairaman

ORDER

Heard the learned counsel for the petitioner ; and Mr.S.Sairaman, learned counsel accepting notice for the respondents 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 to settle the petitioner's retirement benefits including Leave Salary, gratuity, commutation and Dearness Allowance arrears etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement, i.e., 30.09.2014 to till the actual payment to the petitioner.

3. The petitioner joined as Conductor in the year 1978 in the Pallavan Transport Corporation, District Wing in Chennai, and then transferred and posted to the Tamil Nadu State Transport Corporation, Vellore [the then Pattukottai Alagiri Transport Corporation Limited] and retired as Checking Inspector on 30.09.2014 on attaining the age of superannuation. Now, the grievance of the petitioner is, his retirement benefits, namely, Leave Salary, gratuity, commutation and Dearness Allowance arrears etc., 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.

Sd/-

Vacation Officer

//True Copy//

Sub Assistant Registrar

AP

To

1. The Managing Director
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Scheme, Thiruvalluvar House,
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+1cc to Mr.T.Pappaiah Dharmarajan, Advocate, S.R.No.28743
+1cc to Mr.S.Sairaman, Advocate, S.R.No.28761

W.P.No.18513 of 2016

RSY(CO)
CA(27/05/2016)

सत्यमेव जयते

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