

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:10.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.19677 of 2016

D.Vijayan Samuel

.. Petitioner

vs

State Express Transport Corporation Ltd.,
rep.by its Managing Director
Pallavan Salai
Chennai 600 002.

... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to settle the terminal benefits of the petitioner of Gratuity amount of Rs.8,60,000/-, encashment of 8 days of earned leave amount of Rs.8,000/-; commutation amount of Rs.3,10,000/-; social security scheme amount of Rs.35,000/-; and refund of deposit amount paid towards Erode Engineering College, Perundurai Medical College and Polytechnic amount of Rs.4,500/-altogether a sum of Rs.12,17,500/- with interest at the rate of 12% taking into consideration of the representation of the petitioner on various dates including the one on 25.05.2016.

For Petitioner : Mr.D.Soundarraaj

For Respondent : Mr.P.Paramasivados
Standing Counsel for Transport
Corporation

ORDER

The petitioner, who worked as a Driver in the respondent Transport Corporation retired from service on 31.12.2015.

2. The grievance of the petitioner is that even though he has retired from the services of the respondent Corporation as early as 31.12.2015, till date his terminal benefits have not been settled. In this regard, he has also submitted representation to the respondent on various dates including the one on 25.05.2016. Since there was no response, he is before this Court.

3. 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.

4. 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 respondent.

5. 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 respondent-Corporation is directed to disburse the arrears of pension 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 01.08.2016.

6. With the above direction, this writ petition is disposed of. No costs.
vj2

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

The Managing Director
State Express Transport Corporation Ltd.,
Pallavan Salai
Chennai 600 002.

+ 1 cc to Mr.P.Paramasivadosh, Advocate SR32288

+ 1 cc to Mrs.STP.Kuilmozhi, Advocate SR 19677

+ 1 cc to Mr.D.Soundar Raj, Advocate SR 31180

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