

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.5025 of 2015

P.Perumal

... Petitioner

vs.

The Managing Director,
Tamilnadu State Transport (Salem) Limited,
12, Ramakrishna Salai,
Salem - 636 007

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to pay the retirement benefits, such as, Gratuity, Earned Leave Salary, Commutation, etc., payable to the petitioner with interest at the rate of 18% from 31.03.2014, the date of retirement.

For Petitioner : Mr.A.Nagarathinam

For Respondents : Mr.P.Paramasivadosh,

ORDER

By consent, the writ petition is taken up for final disposal.

2. The present writ petition has been filed seeking a Mandamus directing the respondent to pay the retirement benefits, such as, Gratuity, Earned Leave Salary, Commutation, etc., payable to the petitioner with interest at the rate of 18% from 31.03.2014, the date of retirement.

3. It is the case of the petitioner that he joined in the respondent corporation on 23.05.1981 and retired from service on 31.03.2014 as Senior Tradesman. The petitioner was not paid the retirement benefits like Gratuity, IRT share, Leave Surrender and Earned Leave. Hence, the petitioner made a representation dated 06.12.2014 to the respondent requesting to pay all the retirement benefits. But, the same was not

considered so far. Hence, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned counsel who takes notice for the respondent.

5. The issue involved in the present writ petition is squarely covered by the judgment of the Division Bench of the Madurai Bench of this Court dated 12.6.2015 made in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others).

6. Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefits to the petitioner herein, in twelve equal monthly installments, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others), dated 12.06.2015. It is also made clear that the first installment shall commence from 1.12.2016.

7. With the above direction, the present writ petition is disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mrp

To

The Managing Director,
Tamilnadu State Transport (Salem) Limited,
12, Ramakrishna Salai,
Salem - 636 007
+1 cc to Mrs.A.nagarathinam Advocate sr53722
+1 cc to Mr.P.Paramasivadoss Advocate sr 53619

W.P.No.5025 of 2015

aa22/10/2016