

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.07.2016

CORAM

THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

W.P.No.23420 of 2016

K.N.Ramsamy

[Petitioner]

Vs

M/s.Tamil Nadu State Transport
Corporation (Kovai) Ltd.
Rep. by its Managing Director
No.37 Mettupalayam Salai
Coimbatore-43.

[Respondent]

Prayer: 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.6 85 828/- Provident Fund amount of Rs.4 11 387/- Leave salary amount of Rs.5 07 308/- Social Security Scheme amount of Rs.35 000/- and already surrender earned leave amount of Rs.63 000/- a altogether a sum of Rs.17 02 523/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 30.05.2016.

For Petitioner

Mr.D.Soundarraj

For Respondent : Mr.P.Kannankumar

ORDER

The grievance of the petitioner is that he has retired from the services of the respondent- Transport Corporation 30.06.2015, till date his terminal benefits have not been settled. In this regard, he has also submitted representation to the Transport Corporation. Since there was no response, he is before this Court by way of this writ petition.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4. In similar circumstances, a Division Bench of the Madurai Bench of this court in the common judgment dated 12.06.2015 in W.A.(MD) Nos.383 to 457 of 2015, the respondent-Transport Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. Based on the said Judgment, a learned Single Judge of this Court in W.P.Nos.20276 to 20279 of 2016 etc. batch of cases, granted similar relief by order dated 16.06.2016. The relevant portion of the said order of the learned Single Judge reads as follows:-

“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 respective respondent-Transport Corporation is directed to disburse the terminal benefits to each of the petitioners herein 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 10.08.2016”.

5. Since there is no dispute with regard to non payment of terminal benefits to the petitioner, the respondent-Transport Corporation is directed to disburse the terminal benefits to the petitioner herein in twelve equal monthly instalments, commencing from 01.08.2016.

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

06.07.2016

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Note: Issue order copy on 14/7/16

To
M/s.Tamil Nadu State Transport
Corporation (Kovai) Ltd.
Rep. by its Managing Director
No.37 Mettupalayam Salai
Coimbatore-43.

N.KIRUBAKARAN,J

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