

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.26776 of 2016

Mrs.P.Vimala
W/o.Late Parthipan
Old No.11/21, New No.5/9
26th street, Ashok Nagar
Chennai - 600 083

.. Petitioner

..Vs..

- 1.The Government of Tamil Nadu
Rep by its Principal Secretary
Transport Department
Secretariat, Fort St.George
Chennai - 600 009.
- 2.State Express Transport Corporation Ltd.,
(Old Name Thiruvalluvar Transport Corporation Ltd.)
Rep by its Managing Director
Pallavan Salai
Chennai - 600 002.
- 3.The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai - 600 002.

.. Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits such as Gratuity, Commutation of Pension, Encashment of leave salary (EL), Encashment of leave salary (ML-98), Social Security Scheme, Settlement Arrears, Reimbursement of Engineering & Medical College Subscription amount with interest of 18% on delayed payment to the petitioner from 31.01.2016 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A. (MD).Nos.383 to 457 of 2015 dated 12.06.2015.

For Petitioner : Mr.V.S.Jagadeesan

For Respondents: Mr.M.Digvijaypandian, A.G.P., for R1

Mr.S.Sairaman, for R2 & R3

ORDER

Heard Mr.V.S.Jagadeesan, learned counsel appearing for the petitioner, Mr.M.Digvijaypandian, learned Additional Government Pleader who has taken notice for the first respondent and Mr.S.Sairaman, learned counsel who has taken notice for the second and third respondents. With the consent of either side, the writ petition itself is taken up for final disposal.

2.The petitioner was an employee of the respondent/Transport Corporation and has attained the age of superannuation and retired from service. However, pensionary benefits of the petitioner has not been settled and therefore, the petitioner has approached this Court and filed the present Writ Petition to consider her representation for grant of pension.

3.It is brought to the notice of this Court by the learned counsel appearing on either side that this Court has considered a similar Writ Petition, and following the order passed by the Hon'ble Division Bench in the case of K.Rajendran and others vs. The Tamil Nadu State Transport Corporation (Madurai) Ltd. represented by its Managing Director, Madurai and others), dated 12.6.2015, issued directions to the respondent Corporation to settle the entire terminal benefits due and payable to the petitioner in twelve equal installments, carrying interest @ 6% p.a.

4. In the light of the said order, this Writ Petition is disposed of with a direction to the respondent/Corporation to settle the entire terminal benefits due and payable to the petitioner in twelve equal installments, carrying interest @ 6% p.a. First of such installments shall commence from September 2016. All the payments shall be paid on or before 7th of each month. In the event of delay in payment of any one of the installments, the same shall be payable along with interest at 18% p.a., for the delayed payment, and leaving it open to the petitioner to invoke other remedies available to her in the event of such non payment of installments.

5.The Writ Petition stand disposed of as indicated above. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Secretary
Transport Department
The Government of Tamil Nadu
Secretariat, Fort St.George
Chennai - 600 009.
 2. The Managing Director
State Express Transport Corporation Ltd.,
(Old Name Thiruvalluvar Transport Corporation Ltd.)
Pallavan Salai
Chennai - 600 002.
 - 3.The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai - 600 002.
- 1 cc to Mr.V.S.Jagadeesan, Advocate, sr.43732
1 cc to Government Pleader, sr.43913
1 cc to Mr.S.Sairaman, Advocate, sr.43944

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