

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2016

CORAM

THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.No.26778 of 2016

Mr.R.Perumal
S/o.A.Ramasamy
No.D-50, Cheran Nagar
Chinnathotti Palayam
Pennathi Post
Karamadai - 641 104. .. Petitioner

..Vs..

- 1.The Government of Tamil Nadu
Rep by its Principal Secretary
Transport Department
Secretariat, Fort St.George
Chennai - 600 009.
- 2.The Managing Director
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Head Office, No.37, Mettupalayam Road,
Coimbatore - 641 043. .. 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 after to extend the benefits of pay revision in terms of settlement with enhanced dearness allowance and to pay all the retirement benefits payable to the petitioner including Gratuity, Encashment of Leave Salary (EL), Settlement benefit arrears, Provident Fund DA Arrears with interest of 18% on delayed payment to the petitioner from 31.08.2014 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

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 respondent. 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 his 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 him in the event of such non payment of installments.

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

-s/d-

Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

1.The Principal Secretary
Transport Department
The Government of Tamil Nadu
Secretariat, Fort St.George
Chennai - 600 009.

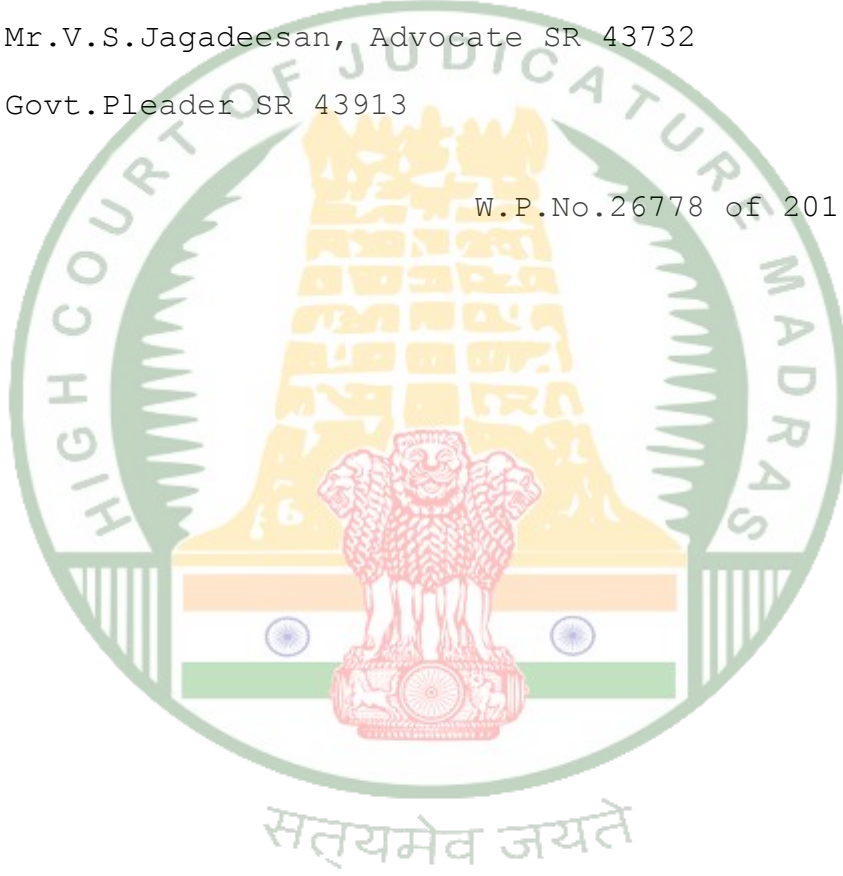
2.The Managing Director
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Head Office, No.37, Mettupalayam Road,
Coimbatore - 641 043.

+ 1 cc to Mr.V.S.Jagadeesan, Advocate SR 43732

+ 1 cc to Govt.Pleader SR 43913

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