

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.28258 of 2016

A.Dharmalingam

... Petitioner

Vs

The Managing Director
Tamil Nadu State Transport Corporation
(Kovai) Limited
No.37, Mettupalayam Road,
Coimbatore.

... 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 pay the petitioner's gratuity amount of Rs.6,10,512/-, Leave surrender salary to the tune of Rs.94,178/- and other benefits unpaid, together with compound interest at the rate of 15% from 28.02.2014 to till the date of disbursement.

For Petitioner : Mr.G.Ponnambalathiyagarajan

For Respondent : Mr.P.Kannan Kumar
Standing Counsel for Transport

ORDER

Inasmuch as the issue raised in this writ petition is one and the same, viz., seeking a direction to the respondent-Transport Corporation to disburse the terminal benefits of the petitioner, this petition is taken up and disposed of.

2. The grievance of the petitioner is that even though he has retired from the services of the respondent-Transport Corporation two or three years ago, 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. 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-Transport Corporation undertook to pay the amount due and payable in twelve equal monthly installments. They 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.Kannan Kumar 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-Transport Corporation is directed to disburse the terminal benefits to the petitioner herein in ten equal monthly installments, 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. Considering the specific case of the petitioner that he is suffering from kidney ailments and he has to undergo dialysis regularly, to meet out the medical expenses, the respondent is directed to disburse first two installments to the petitioner on or before 01.10.2016 and the remaining installments shall run periodically commencing from 01.11.2016.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

kkd

To

The Managing Director
Tamil Nadu State Transport Corporation
(Kovai) Limited
No.37, Mettupalayam Road,
Coimbatore.

+1cc to Mr.G.Ponnambalathiyagarajan, Advocate, S.R.No.48745

W.P.No.28258 of 2016

NR(CO)
CA(20/09/2016)