

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.28323 of 2016

and

M.P.No.24435 of 2016

N.Dhanakodi

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
(Salem Division),
No.7, Ramakrishna Road,
Salem-636 007.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondent to pay the petitioner the sum of Rs.1,68,476/- towards settlement of his Provident Fund Contribution with interest at the rate of 12% p.a., from 01.08.2016, till the date of payment.

For Petitioner : Mr.S.Ayyathurai

For respondent : Mr.Paramasivadass

ORDER

This writ petition has been filed by the petitioner praying for issuance of a Writ of Mandamus, directing the respondent to pay a sum of Rs.1,68,476/-, to the petitioner, towards settlement of his Provident Fund Contribution with interest at the rate of 12% p.a., from 01.08.2016, till the date of payment.

2.It is stated by the petitioner that he joined the service of the respondent-Corporation as a Driver during October, 1980 and he was retired from service on 28.02.2013 as a selection Senior Grade Driver in the pay Scale of Rs.5200-20200 - Gr pay 2300. His last drawn monthly salary was Rs.25,469/-. After the retirement, the petitioner was paid with Provident Fund from 2000 to 2013. It is the grievance of the petitioner that the contribution Provident Fund was not paid to the petitioner. According to the petitioner, the total amount of his

contribution towards provident Fund comes to Rs.1,68,476/-. Hence, the petitioner has come forward with the present writ petition before this Court.

3. I have heard the learned counsel appearing for the petitioners and the learned counsel, who has taken notice on behalf of the respondents.

4.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 12.06.2015 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).

5.Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefit to the petitioner, in twelve equal monthly instalments, in the light of the common judgment of Madurai Bench of 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 made clear that the first instalment shall commence from 01.12.2016.

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

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
(Salem Division),
No.7, Ramakrishna Road,
Salem-636 007.

+1cc to M/S.P.Paramasivadoss, Advocate Sr.51551
+1cc to M/S.S.Ayyathurai, Advocate sr.51380

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cnr[co]
srg 01/11/2016