

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.28366 of 2016

and WMP.No.24490 of 2016

A.Nazeer Ahamed .. Petitioner

vs.

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

Prayer: 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 a sum of Rs.1,11,961/- 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 and award costs.

For Petitioner : Mr.S.Ayyathurai
For Respondent : Mr.R.K.Gandhi

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of directing the respondent to pay the petitioner a sum of Rs.1,11,961/- 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 and award costs.

2. The petitioner joined the services of the respondent Corporation as a Technical Assistant in October, 1980 and he retired from service on 29.02.2012 as a Senior Tradesman. After retirement, the petitioner was paid Provident Fund from 2000 to 2013 and he was not paid his contribution to the Provident Fund i.e., Rs.28,399/- upto April 1999 with interest at the rate of 12% and the total amount of his contribution towards Provident Fund due plus interest comes to Rs.1,11,961/-. In this regard, the petitioner sent a representation dated 16.07.2016 to the respondent requesting to pay him the Provident Fund dues and

since, no response is forthcoming, came forward with this writ petition.

3. Heard both sides and also perused the materials available on record.

4. The issue involved in the present Writ Petition is squarely covered by the judgment of the Division Bench of Madurai Bench of this Court dated 12.06.2015 made in W.A.(MD). No.383 to 457 of 2015 (K.Rajendran & Others v. 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 dated 12.06.2015 made in W.A.(MD).No.383 to 457 of 2015 (K.Rajendran & Others v. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep by its Managing Director, Madurai and Others]. It is made clear that the first instalment shall commence from 01.02.2017.

6. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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

+lcc to Mr.S.Ayyathurai , Advocate, S.R.No.70852

sv (CO)
md(14/12/2016)

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