

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.30894 of 2016

K.Kaliannan

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport
Corporation Ltd.,
No.12, Ramakrishna Road,
Salem-7.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 5.8.2016 with regard to payment of retirement benefits within a stipulated time as fixed by this Court.

For Petitioner : Mr.M.Sundaravadanam

For Respondent : Mr.P.Kannan Kumar

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondent to consider and pass orders on his representation dated 5.8.2016 with regard to payment of retirement benefits within a stipulated time as fixed by this Court.

3. It is the case of the petitioner that on 2.7.1983, he joined as Record Clerk in the respondent corporation and retired as Senior Assistant on 30.6.2013. The respondent has sanctioned pension to the petitioner vide PPO No.2511. However, the other retirement benefits viz., gratuity, provident fund, earned leave, etc., have not been paid to him till today. In this regard, he made several representations to the respondent

requesting him to pay all the retirement benefits. But, the same were not considered. Finally, he made a representation dated 5.8.2016 to the respondent seeking retirement benefits. Since the same was also not considered so far, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned counsel, who has taken notice on behalf of the respondent.

5. 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 12.6.2015 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).

6. Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefits to the petitioner herein, in twelve equal monthly instalments, in the light of the common judgment passed by 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 also made clear that the first instalment shall commence from 1.12.2016.

7. With the above direction, the present writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

sbi
To

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
No.12, Ramakrishna Road,
Salem-7.

+1cc to Mr.M.Sundaravadanam, Advocate, S.R.No.50931

W.P.No.30894 of 2016

CNR(CO)
CA(23/09/2016)