

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.30920 of 2016

N.Suresh

... Petitioner

Vs.

M/s. State Express Transport
Corporation Ltd.,
rep. by its Managing Director,
No.2, Pallavan Salai, Chennai-2.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle the terminal benefits of the petitioner of earned leave of 240 days and medical leave of 205 days of Rs.3,11,415/-, Social Security Service amount of Rs.25,000/-, Erode Engineering College, Perundurai Medical College and Polytechnic amount of Rs.4,500/- altogether a sum of Rs.3,81,415/- with interest at the rate of 6% per annum taking into consideration the representation of the petitioner dated 26.8.2016.

For Petitioner : Mr.D.Soundarraaj

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 settle his terminal benefits of earned leave of 240 days and medical leave of 205 days of Rs.3,11,415/-, Social Security Service amount of Rs.25,000/-, Erode Engineering College, Perudurai Medical College and Polytechnic amount of Rs.4,500/- altogether a sum of Rs.3,81,415/- with interest at the rate of 6% per annum taking into consideration his representation dated 26.8.2016.

3. It is the case of the petitioner that he was appointed as Junior Assistant in the respondent corporation on 1.12.1988 and thereafter, he was promoted as Assistant. Later, he resigned the said job on 20.5.2005 after serving 17 years of service. Hence, he made oral and written representation to the respondent to settle his terminal benefits. Even after lapse of 11 years, the terminal benefits were not given to him. In fact, in the Metropolitan Transport Corporation, 69 employees, who have resigned their job after 1.1.2005, received their terminal benefits. Though the said fact was brought to the notice of the respondent, the same was not settled to the petitioner. Hence, 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. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the petitioner to give a copy of the representation dated 26.8.2016, along with a copy of this order, to the respondent within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the respondent is directed to consider the said representation and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter. It is made clear that this Court has not expressed any opinion with regard to the claim projected by the petitioner and it is for the respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//सत्यमेव जयते

sbi
To

Sub Assistant Registrar

The Managing Director,
M/s. State Express Transport Corporation Ltd.,
No.2, Pallavan Salai, Chennai-2.

+1cc to Mr.D.Soundarraaj, Advocate, S.R.No.50810
+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.50825

W.P.No.30920 of 2016

RP(CO)
CA(22/09/2016)