

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.30945 of 2016

J.Cisily

... 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 Surrender amount of Rs.1,45,000/-, Post Retirement Benefit Fund amount of Rs.30,000/-, Leave on Private Affairs amount of Rs.53,000/-, 6% interest on belated payment of provident fund of Rs.27,000/- and 6% interest on belated payment of commutation amount of Rs.60,300/-, altogether a sum of Rs.3,15,300/- with interest at the rate of 6% per annum taking into consideration the representation of the petitioner dated 24.8.2016.

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 her terminal benefits viz., Earned Leave Surrender amount of Rs.1,45,000/-, Post Retirement Benefit Fund amount of Rs.30,000/-, Leave on Private Affairs amount of Rs.53,000/-, 6% interest on belated payment of provident fund of Rs.27,000/- and 6% interest on belated payment of commutation amount of

Rs.60,300/-, altogether a sum of Rs.3,15,300/- with interest at the rate of 6% per annum taking into consideration her representation dated 24.8.2016.

3. It is the case of the petitioner that she was appointed as Junior Assistant in the respondent corporation on 14.1.1980 and retired as Superintendent on 30.4.2011 after serving 31 years of service. Since her retirement benefits have not been paid to her, she made oral and written representation to the respondent to settle her terminal benefits. Even after lapse of five years, the terminal benefits were not given to her. 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. 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/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

sbi

To

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

+1 CC to Mr. D. Sarndar Raj, Advocate Sr.No.50809
+1 CC to Mr. P. Kannan Kumar, Advocate Sr.No.50824

W.P.No.30945 of 2016

TM (CO)
MD : 22/09/2016



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