

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.31099 of 2016

P.Mohanarangan

...Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vazhuthareddy
Villupuram-605 602.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Cuddalore Region,
Cuddalore.

....Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Unavailed Portion Leave Salary, Dearness Allowance Arrears, CRBS Pension Earned Leave Surrender for 15 days in May 2014, Unearned Leave on Private Affairs - 90 days half salary or 45 days full salary by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.6.2015 within the stipulated time as may be fixed by this Hon'ble Court.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.R.K.Gandhi

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 respondents to disburse the payments relating to Gratuity, Unavailed Portion Leave Salary, Dearness Allowance Arrears, CRBS Pension Earned Leave Surrender for 15 days in May 2014, Unearned Leave on Private Affairs - 90 days half salary or 45 days full salary by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.6.2015.

3. It is the case of the petitioner that on 26.02.1986, he joined as Junior Engineer in the Thanthai Periyar Transport Corporation and retired from service as Branch Manager on 31.05.2015 in Tamil Nadu State Transport Corporation (Villupuram) Ltd., Cuddalore Region at Chidambaram-I depot. Since his retirement, his terminal benefits like gratuity, Unavailed Portion Leave Salary, Dearness Allowance Arrears 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 12.08.2016 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 respondents.

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 respondents are 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 (J)

/true copy/

Sub Asst. Registrar

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To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vazhuthareddy
Villupuram-605 602.

2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Cuddalore Region,
Cuddalore.

1CC to Mr.J.Pradeep, Advocate, SR 51074

1CC to Mr.R.K.Gandhi, Standing Counsel for TNSTC SR 51444

सत्यमेव जयते

W.P.No.31099 of 2016

BVR (CO)
PSI 04/10/2016

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