

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31389 of 2016

Jayaraman

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
12, Ramakrishna Salai,
Salem - 636 007.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the retirement benefits such as Provident Fund, Gratuity, Labour Welfare Fund, IRT share the benefits of Earned and Unearned Leave, old medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

For Petitioner : Mr.A.Nagarathinam

For Respondent : Mr.R.K.Gandhi

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to pay the retirement benefits such as Provident Fund, Gratuity, Labour Welfare Fund, IRT share the benefits of Earned and Unearned Leave, old medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

3.It is the case of the petitioner that he joined in the respondent corporation on 10.03.1993 and retired from service on 31.03.2016 as Selection Grade Senior Conductor. The petitioner

was not paid the retirement benefits like provident fund, gratuity, Labour Welfare Fund, I.R.T.Share, benefits of earned leave and unearned leave, old medical benefit. Hence, the petitioner made a representation dated 27.08.2016 to the respondent requesting to pay all the retirement benefits. But, the same was not considered so far. 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 takes 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(CCC)

//True Copy//

Sub Assistant Registrar

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To

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
12, Ramakrishna Salai,
Salem - 636 007.

1 cc to Mr.A.Nagarathinam, Advocate, sr.51349

W.P.No.31389 of 2016

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