

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31400 of 2016

S.Rangasamy

... Petitioner

Vs.

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

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to pay the entire retirement benefits such as Gratuity, Commutation of Pension, Leave surrender pay, Family Welfare Fund, Provident Fund (Employer Share), IRT share etc., with interest at 18% per annum from the date of retirement viz. 28.2.2015 till date of payment to the petitioner herein.

For Petitioner : Mr.S.Balaji

For Respondent : Mr.R.K.Gandhi

ORDER

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

2.The present writ petition has been filed seeking a Mandamus directing the respondent to pay the entire retirement benefits such as Gratuity, Commutation of Pension, Leave surrender pay, Family Welfare Fund, Provident Fund (Employer Share), IRT share etc., with interest at 18% per annum from the date of retirement viz. 28.2.2015 till date of payment to the petitioner herein.

3.It is the case of the petitioner that he joined in the respondent corporation on 28.01.1998 and retired from service on

28.02.2015 as Assistant. The petitioner was not paid the retirement benefits like Gratuity, Commutation of Pension, Leave Surrender Pay, Family Welfare Fund, Provident Fund (Employer Share), I.R.T.Share. Hence, the petitioner made a representation dated 20.07.2016 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/-सत्यमेव जयते
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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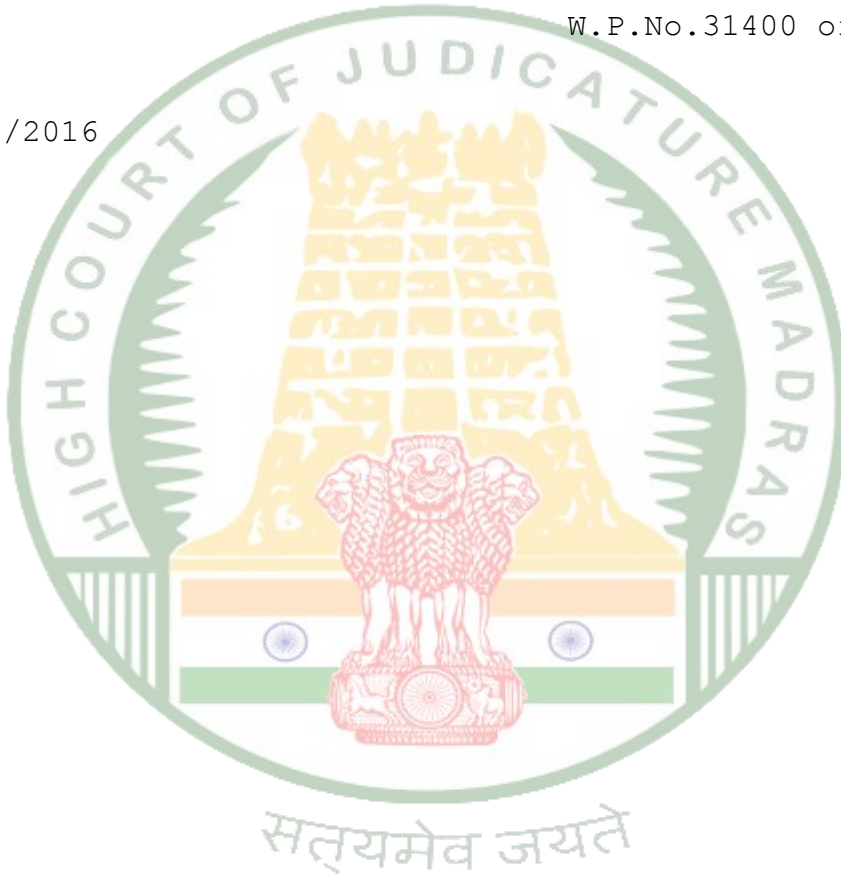
To

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

+1 CC to M/s. S. Balaji, Advocate Sr.No.51454

W.P.No.31400 of 2016

4RSK (CO)
MD : 05/10/2016



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