

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31450 of 2016

S.John Maria Joseph (P.R.No.10009) ... Petitioner

Vs.

- 1 The Management
Tamilnadu State Transport
Corporation (Kovai) Ltd.,
Rep. by its Managing Director
No.37, Mettupalayam Road,
Cooimbatore.
- 2 The General Manager
Tamil Nadu State Transport Corporation Ltd.,
No.37, Mettupalayam Road,
Coimbatore. ... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the petitioner a sum of Rs.3,39,326/- towards retirement benefits such as earned leave and medical leave within the time stipulated by this Honourable Court.

For Petitioner	: Mr.V.Sivakumar
For Respondents	: Mr.P.Kannan Kumar

सत्यमेव जयते
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 petitioner a sum of Rs.3,39,326/- towards retirement benefits such as earned leave and medical leave within the time stipulated by this Honourable Court.

3.It is the case of the petitioner that he joined in the respondents corporation on 20.09.1983 and retired from service on 31.08.2012 as Superintendent. The petitioner was not paid the retirement benefits. Hence, the petitioner made a representation dated 31.08.2016 to the respondents 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 for 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 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

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To

- 1 The Management
Tamilnadu State Transport
Corporation (Kovai) Ltd.,
Rep. by its Managing Director
No.37, Mettupalayam Road,
Cooimbatore.
- 2 The General Manager
Tamil Nadu State Transport Corporation Ltd.,
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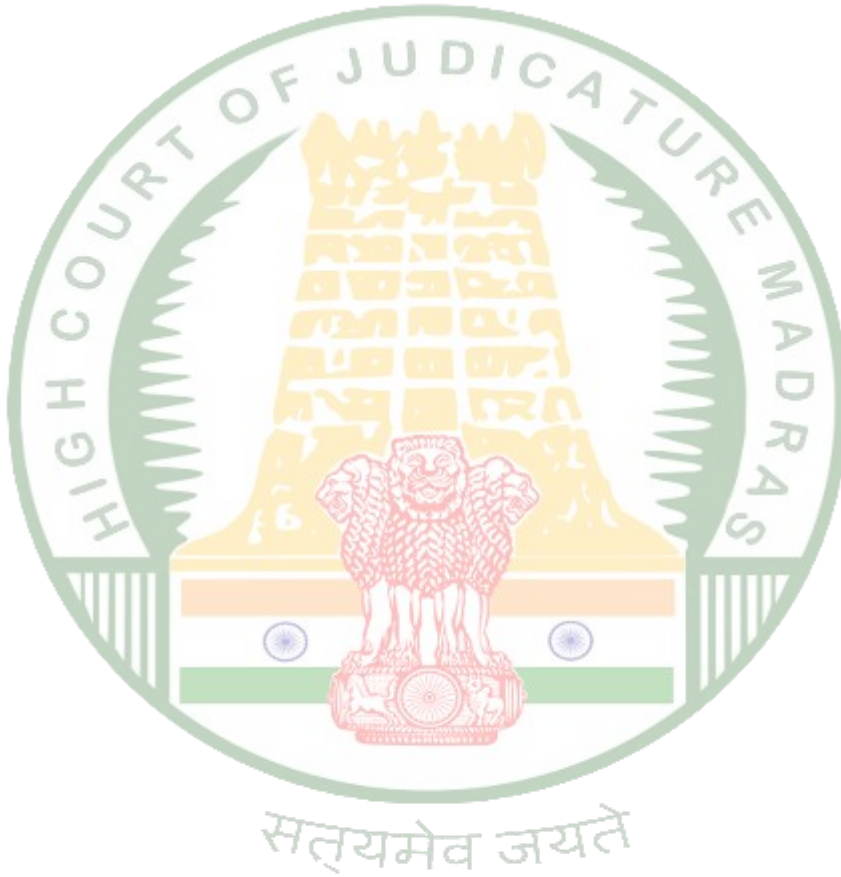
+1 CC to Mr. V.Sivakumar, Advocate for the Petitioner Sr.51405

+1 CC to Mr. P.Kannan Kumar, Advocate for the Respondent Sr.51583

CO-PVS

ths : 18.10.2016

W.P.No.31450 of 2016



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