

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31469 of 2016

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... Petitioner

Vs.

1 The Managing Director
Tamilnadu State Transport
Corporation (Salem Division) Ltd.,
Ramakrishna Road
Salem – 7.

2 The General Manager
Tamil Nadu State Transport
Corporation (Salem – II) Ltd.,
Bharathipuram
Dharmapuri – 5.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and pass orders on the petition dated 08.08.2016 given by the petitioner seeking to pay the petitioner all his post retirement benefits such as EPF, Gratuity and all other attendant benefits within a time as fixed by this Hon'ble Court.

For Petitioner : Mr.V.Jeevagiridharan
For Respondents : 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 consider and pass orders on the petition dated 08.08.2016 given by the petitioner seeking to pay the petitioner all his post retirement benefits such as EPF, Gratuity and all other attendant benefits within a time as fixed by this Court.

3.It is the case of the petitioner that he joined in the respondent corporation on 01.07.1992 and retired from service on 30.04.2016 as Helper. The petitioner was not paid the retirement benefits like EPF, Gratuity and other attendant benefits. Hence, the petitioner made a representation dated 08.08.2016 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.

09.09.2016

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Index: Yes/ No
Internet: Yes/ No

R.SUBBIAH,J.

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To

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