

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.31587 of 2016

G.Prakash

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport
Corporation Limited,
12, Ramakrishna Road,
Salem-7.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle the entire retirement benefits of the petitioner i.e., Gratuity amount of Rs.4,37,000/- + Leave encashment (EL) of Rs.2,10,000/- + Leave surrender during employment sum of Rs.45,000/-, totally a sum of Rs.6,92,000/- and other benefits and enhanced dearness allowances along with 18% interest on delayed payment from 1.7.2012 to till the date of disbursement of the terminal benefits to the petitioner.

For Petitioner : Mr.R.Y.George Williams

For Respondent : Mr.P.Kannan Kumar

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 respondent to settle his entire retirement benefits i.e., Gratuity amount of Rs.4,37,000/- + Leave encashment (EL) of Rs.2,10,000/- + Leave surrender during employment of Rs.45,000/-, totally a sum of Rs.6,92,000/- and other benefits and enhanced dearness allowances along with 18% interest on delayed payment from 1.7.2012 to till the date of disbursement of the terminal benefits.

3. It is the case of the petitioner that he joined in the respondent corporation on 28.1.1980 as a Conductor and after 32 years of service, he retired from service on 30.6.2012 on attaining the age of superannuation. After retirement till date, the respondent has not paid his terminal benefits such as Gratuity, Leave encashment (EL), Leave surrender during employment, etc. to the petitioner. In this regard, he made a representation dated 10.9.2015 to the respondent requesting him 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 has taken 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(CS VI)

//True Copy//

Sub Assistant Registrar

sbi

To

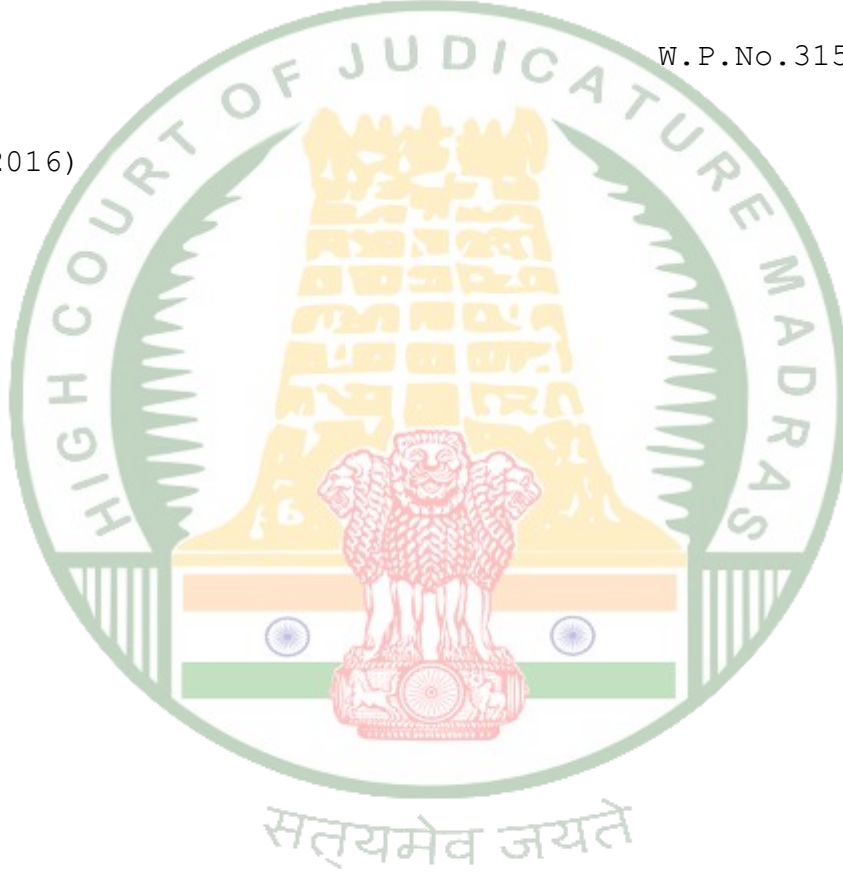
The Managing Director,
Tamil Nadu State Transport
Corporation Limited,
12, Ramakrishna Road,
Salem-636 007.

+1cc to Mr.R.Y.George Williams, Advocate, S.R.No.51573

+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.52016

W.P.No.31587 of 2016

RJ(CO)
CA(29/09/2016)



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