

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.31720 of 2016

R.Gunasekaran

... Petitioner

vs.

The Managing Director,
Tamil Nadu Transport
Corporation Ltd.,
12, Ramakrishna Salai,
Salem - 636 007.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to consider the petitioner's representation dated 1.9.2016 seeking retirement monetary benefits, gratuity, employee provident fund, welfare fund, 12(3) Settlement arrears, Basic Pay, Earnest Leave Arrears of salary amount and dearness allowance, service benefits, pension, bonus, society fund, security fund, surrendered medical leave accrued in his credit so far in accordance with law within time fixed by this Court.

For Petitioner : Mr.A.Ganesan
For Respondent : Mr.R.K.Gandhi

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 consider his representation dated 1.9.2016 seeking retirement benefits such as gratuity, employee provident fund, welfare fund, 12(3) Settlement arrears, Basic Pay, Earned Leave Arrears of salary amount and dearness allowance, service benefits, pension, bonus, society fund, security fund, surrendered medical leave accrued in his credit so far in accordance with law within the time fixed by this Court.

3. It is the case of the petitioner that he was working in the respondent corporation as Conductor and retired from service on attaining the age of superannuation on 31.7.2015. After retirement, the respondent has not paid the terminal benefits such as gratuity, employee provident fund, welfare fund, 12(3) Settlement arrears, Basic Pay, Earned Leave Arrears of salary amount and dearness allowance, service benefits, pension, bonus, society fund, security fund, surrendered medical leave accrued in his credit. In this regard, he made a representation dated 1.9.2016 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(J)

//True Copy//

Sub Assistant Registrar

sbi

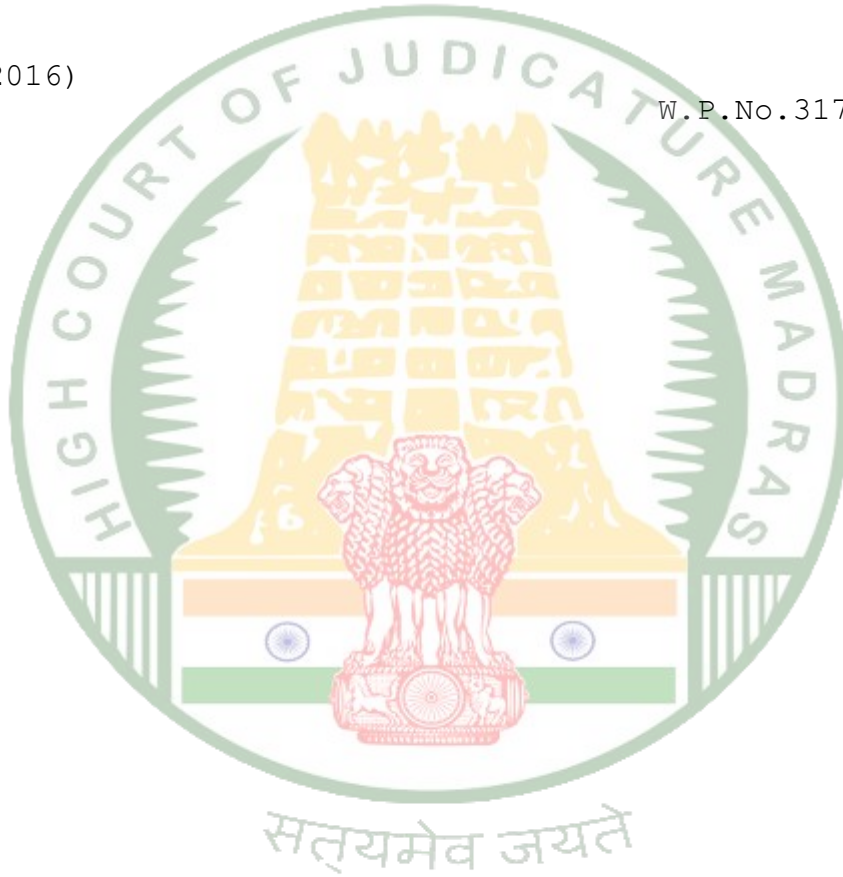
To

The Managing Director,
Tamil Nadu Transport
Corporation Ltd.,
12, Ramakrishna Salai,
Salem - 636 007.

+lcc to Mr.A. Ganesan, Advocate SR.51847

GJII(CO)
EU(18/10/2016)

W.P.No.31720 of 2016



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