

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31846 of 2016

C.Loganathan

... Petitioner

Vs.

M/s.State Express Transport Corporation Ltd.,
Rep. by its Managing Director
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to settle the terminal benefits of the petitioner of Gratuity amount of Rs.8,89,129/-, Earned Leave 92 days and Medical Leave 2 days surrender amount of Rs.1,44,111/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering College, Perundurai Medical College and Polytechnic refund amount of Rs.4,500/- and refund of recovery of Provident Fund amount during 03/2016 of Rs.5,143/- altogether a sum of Rs.10,72,882/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 31.08.2016.

For Petitioner : Mr.D.Soundarraaj

For Respondent : Mr.P.Kannan Kumar

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 respondent to settle the terminal benefits of the petitioner of Gratuity amount of Rs.8,89,129/-, Earned Leave 92 days and Medical Leave 2 days surrender amount of Rs.1,44,111/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering College, Perundurai Medical College and Polytechnic refund amount of Rs.4,500/- and refund of recovery of Provident Fund amount during 03/2016 of Rs.5,143/- altogether

a sum of Rs.10,72,882/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 31.08.2016.

3.It is the case of the petitioner that he joined in the respondent corporation on 16.03.1981 and retired from service on 31.03.2016 as Checking Inspector. The petitioner was not paid the retirement benefits like Gratuity, Earned Leave 92 days and Medical Leave 2 days surrender amount, Social Security Scheme amount, Erode Engineering College, Perundurai Medical College and Polytechnic refund amount and refund of recovery of Provident Fund amount during 03/2016. Hence, the petitioner made a representation dated 31.08.2016 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 for 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

To

Managing Director
State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.P.Kannan kumar, Advocate Sr.52691

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srg 19/10/2016



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