

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.31904 of 2016

J.L.Fernandez (PR.No.17125)

... Petitioner

Vs.

Tamil Nadu State Transport
Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043

Represented by its Managing Director

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

For Petitioner : Mr.A.Rajendiran
For Respondent : Mr.S.Sairaman

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 pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Court.

3.It is the case of the petitioner that he joined in the respondent corporation on 24.11.1995 and retired from service on 31.08.2016 as Security Sergeant. The petitioner was not paid the retirement benefits like Provident Fund, Gratuity, Leave Salary Amount etc. Hence, the petitioner made a representation dated 01.09.2016 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.

14.09.2016

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Index: Yes/ No
Internet: Yes/ No

R.SUBBIAH,J.

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To

Tamil Nadu State Transport
Corporation Ltd.,
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Represented by its Managing Director

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