

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.09.2016
CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.32016 of 2016

R.Muthusami

... Petitioner

Vs.

The Managing Director,
Tamilnadu Transport Corporation Limited,
12, Ramakrishna Road,
Salem - 7.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider and pass orders on the Petitioner's representation dated 21.06.2016 with regard to payment of retirement benefit within a stipulated time as fixed by this Hon'ble Court.

For Petitioner : Mr.M.Sundaravadanam
For Respondent : Mr.R.K.Gandhi

ORDER

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 consider and pass orders on the Petitioner's representation dated 21.06.2016 with regard to payment of retirement benefit within a stipulated time as fixed by this Hon'ble Court.

3.It is the case of the petitioner that he joined in the respondent corporation on 25.02.1984 and retired from service on 31.12.2015 as Senior Grade Driver. The petitioner was sanctioned only pension and he was not paid the other retirement benefits like gratuity, provident fund, earned leave etc. Hence, the petitioner made a representation dated 21.06.2016 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 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

The Managing Director,
Tamilnadu Transport Corporation Limited,
12, Ramakrishna Road,
Salem - 7.

+1 cc to Mr.M.Sundaravadanam Advocate sr 52419
+1 cc to Mr.R.K.Gandhi Advocate sr 52020

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