

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.32077 of 2016

G.Pavunraj

... Petitioner

Vs.

1 The Managing Director
Tamilnadu State Transport
Corporation (Salem) Limited,
Salem - 636 007.

2 The General Manager
Tamilnadu State Transport
Corporation (Salem) Limited,
Regional Office,
Dharmapuri - 636 705.

3 The Assistant Manager,
(Provident Fund & Pension),
Tamilnadu State Transport
Corporation (Salem) Limited,
Salem - 636 007.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse all eligible retirement benefits due to the petitioner with 6% interest as may be fixed by this Honourable Court.

For Petitioner : Mr.D.Rameshkumar
For Respondents : Mr.R.K.Gandhi

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 respondents to disburse all eligible

retirement benefits due to the petitioner with 6% interest as may be fixed by this Honourable Court.

3.It is the case of the petitioner that he joined in the respondent Tamilnadu State Transport Corporation (Salem) Limited (Formerly Annai Sathya Transport Corporation Limited, Dharmapuri), on 27.05.1985 and retired from service on 31.08.2015 as Traffic Inspector. The petitioner was not paid the retirement benefits like Commuted Value of Pension, Gratuity, ERBS, Surrender Leave Salary, I.R.T.Share Amount (Medical and Engineering Colleges). Hence, the petitioner made a representation dated 03.07.2016 to the respondents 1 and 2 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 respondents.

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/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To

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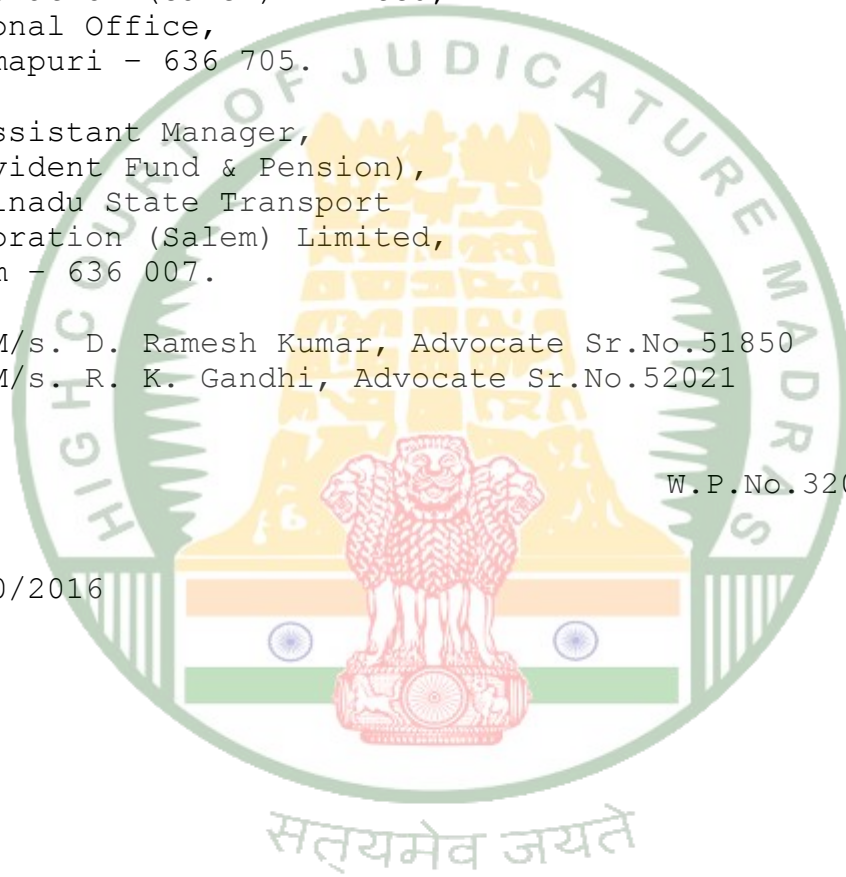
+1 CC to M/s. D. Ramesh Kumar, Advocate Sr.No.51850

+1 CC to M/s. R. K. Gandhi, Advocate Sr.No.52021

W.P.No.32077 of 2016

4RSK (CO)

MD : 05/10/2016



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