

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.32462 of 2016

R.Perumal (Staff No.CR0692)

... Petitioner

Vs.

- 1 The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram – 605 602.
 - 2 The General Manager
Tamilnadu State Transport
Corporation (Villupuram) Limited,
Tiruvannamalai Region,
Tiruvannamalai.
 - 3 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payment relating to Gratuity, Leave Encashment (Earned & Medical Leave), D.A. Arrears, CRBS Pension arrears by calculating D.A. Eligible

as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2013 within the stipulated time fixed as may be fixed by this Honourable Court.

For Petitioner : Mr.D.Karchik
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 the payment relating to Gratuity, Leave Encashment (Earned & Medical Leave), D.A. Arrears, CRBS Pension arrears by calculating D.A. Eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2013 within the stipulated time fixed as may be fixed by this Court.

3.It is the case of the petitioner that he joined in the Thanthai Periyar Transport Corporation on 06.03.1981 and retired from service on 31.05.2013 in Tamilnadu State Transport Corporation (Villupuram) Limited, Tiruvannamalai Region, as Special Grade Conductor. The petitioner was not paid the retirement benefits like Gratuity, Leave Encashment (Earned & Medical Leave), D.A. Arrears, CRBS Pension

arrears. Hence, the petitioner made a representation dated 12.09.2016 to the respondents 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**

R.SUBBIAH,J.

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.

16.09.2016

pri
Index: Yes/ No Internet: Yes/ No

To

- 1 The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram – 605 602.
- 2 The General Manager
Tamilnadu State Transport
Corporation (Villupuram) Limited,
Tiruvannamalai Region,
Tiruvannamalai.
- 3 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002.

W.P.No.32462 of 2016

16.09.2016