

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.32544 of 2016

G.Gunaseelan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Salem-636 007.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Ltd.,
Regional Office, Dharmapuri - 636 705.
3. The Assistant Manager
(Provident Fund & Pension),
Tamil Nadu State Transport Corporation
(Salem) Limited, Salem-636 007.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse all eligible retirement benefits due to the petitioner with 6% interest per annum within a stipulated time fixed by this Court.

For Petitioner : Mr.J.Bharathiraja

For Respondents : Mr.R.K.Gandhi

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents to disburse all eligible retirement benefits due to the petitioner with interest at 6% per annum within a stipulated time fixed by this Court.

3. It is the case of the petitioner that he joined in the respondent corporation on 21.05.1989 as Conductor. He retired from service as a Conductor Senior Grade on attaining superannuation on 31.10.2014. On the date of his retirement, as directed by the 3rd respondent, the petitioner has submitted certain documents for sanction of pension and other retirement benefits. But, so far no retirement benefits have been paid to him. In this regard, he made a representation dated 30.8.2016 to the respondents requesting them 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 has taken notice on behalf of 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 respondents are 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(CS II)

//True Copy//

Sub Assistant Registrar

tsi

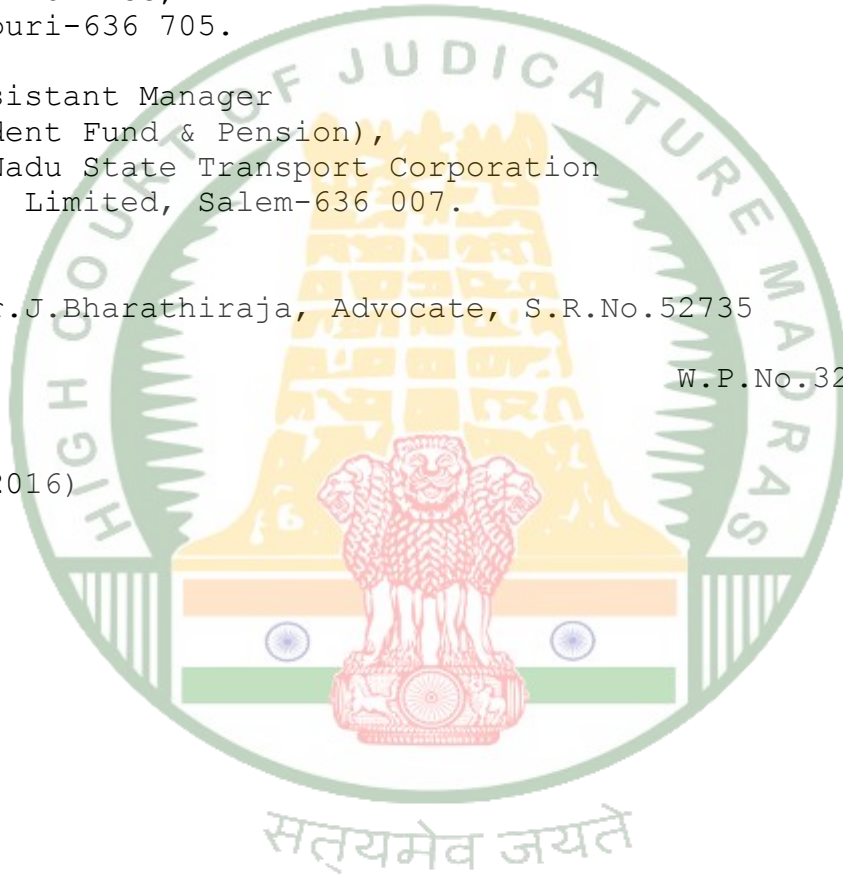
To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Salem-636 007.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Ltd.,
Regional Office,
Dharmapuri-636 705.
3. The Assistant Manager
(Provident Fund & Pension),
Tamil Nadu State Transport Corporation
(Salem) Limited, Salem-636 007.

+1cc to Mr.J.Bharathiraja, Advocate, S.R.No.52735

W.P.No.32544 of 2016

KK(CO)
CA(06/10/2016)



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