

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition No.32591 of 2016

N.Raju

... Petitioner

vs.

The Tamil Nadu State Transport Corporation
(Kovai) Limited rep. by its Managing Director,
No.37, Mettupalayam Salai,
Coimbatore-43.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle the entire retirement of the petitioner, ie., Gratuity amount of Rs.3,90,233/- totally, a sum of Rs.3,90,233/- and other benefits and enhanced dearness allowance along with 18% interest on delayed payment from 01.07.2013 to till date of disbursement of the terminal benefits to the petitioner, within a period fixed by this Court.

For Petitioner : Mr.Y.George Williams

For Respondent : Mr.S.Sairaman

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 respondent to settle the terminal benefits of the petitioner, namely, Gratuity amount of Rs.3,90,233/- totally, a sum of Rs.3,90,233/- and other benefits and enhanced dearness allowance along with 18% interest on delayed payment from 01.07.2013 to till date of disbursement of the terminal benefits to the petitioner, within a period fixed by this Court.

3. It is the case of the petitioner that he joined in the respondent corporation on 07.08.1986 as Driver and retired from service on 30.06.2013. On the date of his retirement, no terminal benefits were settled to the petitioner. In this regard, he made a representation dated 01.07.2013 to the respondent requesting him 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 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.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

To
The Managing Director,
Tamil Nadu State Transport Corporation
(Kovai) Limited,
No.37, Mettupalayam Salai,
Coimbatore-43.

+1cc to Mr.Y.George Williams Advocate Sr.52883
+1 cc to Mr.S.Sairaman,Advocate Sr.52992

W.P.No.32591 of 2016

co (ALA)
cp 20/10/2016