

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.32621 of 2016

R.Sivaprakasam

... Petitioner

vs.

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
No.12, Ramakrishna Road,
Salem-636 007.

... 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 terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 01.06.2012 within the time stipulated by this Court.

For Petitioner : Mr.A.Selvaraju

For Respondent : 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 respondent to settle the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 01.06.2012 taking into consideration of the representation of the petitioner dated 01.09.2016, within a stipulated period fixed by this Court.

3. It is the case of the petitioner that he joined in the respondent corporation on 20.05.1980 as Junior Assistant and retired from service on 31.05.2012 as Senior Superintendent. He has been receiving pension from 01.06.2012 and the respondent also paid him the Employees Provident Fund, Gratuity, Commutation, Social Welfare Fund and Contribution towards

Institute of Road Transport Technology. But, the respondent has not settled other terminal benefits to the petitioner. In this regard, he made a representation dated 01.09.2016 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 VI)

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

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To

The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited, No.12, Ramakrishna Road,
Salem-636 007.

1 cc to Mr.R.K.Gandhi, Advocate, sr.52967

1 cc to A.Selvaraju, Advocate, sr.52919

W.P.No.32621 of 2016

nr co, kra 05.10.2016