

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.32784 of 2016

P.B.Guruvaiah

...Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
3/137, Salamedu, Veludha Reddy Post,
Villupuram-605 602.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram Region,
Kancheepuram-631 552.
3. The Administrator,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Employees Post Retirement Welfare
Fund Scheme,
Thiruvalluvar House,
Pallavan Salai, Chennai-2.

...Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the Respondents to settle the retirement benefits payable to the petitioner including service gratuity, commutation amount, Leave salary and all other attendant retirement benefits by reckoning the value of the Dearness Allowance at the rate of 100% as ordered in G.O.No. 96, Finance (Allowances) department dated 03.04.2014 and consequently to pay the difference of money value for the installments already paid with an interest of 10% per annum from the date of the retirement of the petitioner in the light of the judgment of this Honourble court dated

22.12.2015 made in W.P. Nos. 20116 to 20122 of 2014 W.P. Nos. 33165 to 33178 of 2015 and W.P. No.27015 of 2015 by considering and passing orders on the representation of the petitioner dated 12.8.2016.

For Petitioner : Mr.N.Ishak

For Respondents : Mr.P.Kannan Kumar

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 settle the retirement benefits payable to him including service gratuity, commutation amount, Leave salary and all other attendant retirement benefits by reckoning the value of the Dearness Allowance at the rate of 100% as ordered in G.O.No. 96, Finance (Allowances) department dated 03.04.2014 and consequently to pay the difference of money value for the installments already paid with an interest of 10% per annum from the date of the retirement in the light of the judgment of this Honourable court dated 22.12.2015 made in W.P. Nos. 20116 to 20122 of 2014 W.P. Nos. 33165 to 33178 of 2015 and W.P. No.27015 of 2015 by considering and passing orders on his representation dated 12.8.2016.

3. The petitioner joined the services of the Transport Corporation and he retired from service long before. The grievance of the petitioner is that though he retired from service long before, till date, he was not paid with the retirement benefits*fully. In this regard, the petitioner submitted representations before the respondents, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petition has been filed.

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.Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of th claim projected by the petitioner, this Court directs the respondents to consider the representation of the petitioner dated 12.8.2016 and pass appropriate orders, on**

merits and in accordance with law and also in the light of the judgment of this Court dated 22.12.2015 made in W.P.Nos.20116 to 20122 of 2014, W.P.Nos.33165 to 33178 of 2015 and W.P.No.27015 of 2015, within a period of six weeks from the date of receipt of a copy of this order. The Writ petition is disposed of accordingly. No Costs."

Sd/-
Asst.Registrar (J)
Dated:5/10/2016

*,Corrected and
** inserted as per the order
of this Court and made herein.

Sd/-
Assistant Registrar(CS-VII)
Dated:26/10/2016

/true copy/

Sub Asst. Registrar

sbi
To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
3/137, Salamedu, Veludha Reddy Post,
Villupuram-605 602. To be substituted to
the order already
despatched on 19/10/2016
and made herein.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram Region,
Kancheepuram-631 552.
3. The Administrator,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Employees Post Retirement
Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai, Chennai-2.

2 CCs to Mr.P.Kannan Kumar, Advocate, SR. 60966
1 CC to Mr.N.Ishak, Advocate, SR 59751

W.P.No32784 of 2016

SM (CO)
PSI 06/10/2016
srg 26/10/2016