

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.32967 of 2016

S.Chakkaravarthi

... Petitioner

Vs.

- 1 The Government of Tamil Nadu rep. by
The Principal Secretary to Government,
Transport Department,
Fort St.George,
Chennai – 600 009.
- 2 The Managing Director
Tamilnadu State Transport Corporation (VPM) Limited,
3/137 Salamedu,
Valuthareddy – Post,
Villupuram – 605 602.
- 3 The Administrator
Tamilnadu State Transport Corporation
Pension Fund Trust, 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 2nd and 3rd respondents to disburse the retirement benefits of Gratuity of Rs.4,75,000/- and Pension Arrears amount of Rs.30,000/- totally comes to Rs.5,05,000/- (rupees Five Lakhs and Five Thousand only) with 18% interest on delayed payment to the petitioner (Staff No.SR0882) who has retired from service on 31.08.2012 as Driving Instructor in the 2nd respondent's office.

For Petitioner : Mr.D.Veerasekaran
For Respondents : Mr.R.Venkatesh for R1
Government Advocate
Mr.S.Sairaman for R2 and R3

ORDER

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 2 and 3 to disburse the retirement benefits of Gratuity of Rs.4,75,000/- and Pension Arrears amount of Rs.30,000/- totally comes to Rs.5,05,000/- (rupees Five Lakhs and Five Thousand only) with 18% interest on delayed payment to the petitioner (Staff No.SR0882) who has retired from service on 31.08.2012 as Driving Instructor in the second respondent's office.

3.It is the case of the petitioner that he joined in the Thantai Periyar Transport Corporation Limited, which after amalgamation with Pattukottai Alagiri Transport Corporation was renamed as Tamilnadu State Transport Corporation (VPM) Limited, on 02.01.1980 and his service was regularized on 01.12.1981 and and retired from service on 31.08.2012 as Driving Instructor. The petitioner was not paid the retirement benefits like Gratuity and Pension Arrears. 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, learned Government Advocate who takes notice for the first respondent and the learned counsel who takes notice for the respondents 2 and 3.

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.
pri

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.

21.09.2016

pri
Index: Yes/ No
Internet: Yes/ No

To

- 1 The Government of Tamil Nadu rep. by
The Principal Secretary to Government,
Transport Department,
Fort St.George,
Chennai – 600 009.
- 2 The Managing Director
Tamilnadu State Transport Corporation (VPM) Limited,
3/137 Salamedu,
Valuthareddy – Post,
Villupuram – 605 602.
- 3 The Administrator
Tamilnadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai, Chennai – 600 002.

W.P.No.32967 of 2016

21.09.2016