

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.33279 of 2016

K.Arumugam

... Petitioner

vs.

1.The Principal Secretary to
Government Transport Department
Secretariat, Chennai - 600 009.

2.The Managing Director
Metropolitan Transport Corporation,
(Chennai) Limited, Pallavan Salai,
Chennai - 600 002.

3.The Administrator
Tamil Nadu State Transport
Corporation, Pension Fund Trust,
Thiruvalluvar House
Pallvan Salai,
Chennai - 600 002.

... 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 Terminal benefits for Rs.10,17,074.95/- with interest at 18% for belated payment within the time frame.

For Petitioner : Mr.N.Sundaramurthy
For R1 : Mr.N.Srinivasan,AGP
For R2&R3 : 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 Terminal benefits for Rs.10,17,074.95/- with interest at 18% for belated payment within a time frame stipulated by this Court.

3. It is the case of the petitioner that he joined in the erstwhile Pallavan Transport Corporation Limited on 02.04.1980 as Typist, now known as Metropolitan Transport Corporation (Chennai) Limited, Chennai. Thereafter, he was promoted as Assistant Manager (Legal) on 17.03.2008. He retired from service on attaining superannuation on 31.7.2015. On the date of his retirement, the respondents have paid pension, gratuity and Provident Fund Contribution of the employees share only. But the other terminal benefits were not settled to him. 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 Additional Government Pleader for the 1st respondent and the learned Counsel, who has taken notice on behalf of 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 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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

tsi

To

1.The Principal Secretary to
Government Transport Department
Secretariat, Chennai - 600 009.

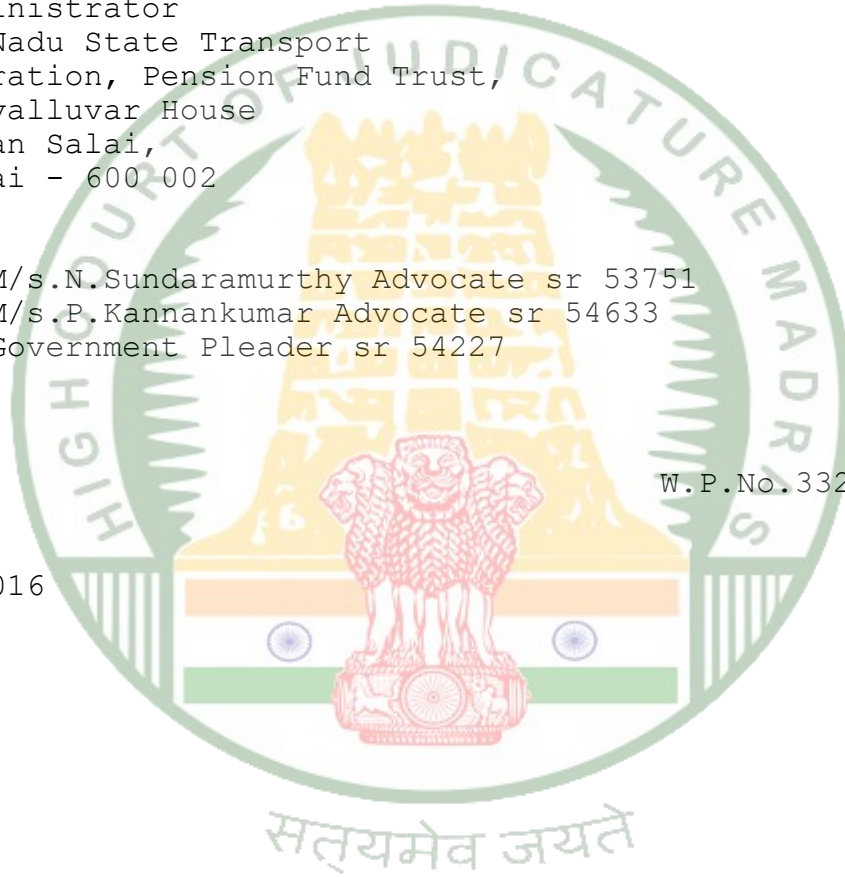
2.The Managing Director
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Pallvan Salai,
Chennai - 600 002

+1 cc to M/s.N.Sundaramurthy Advocate sr 53751
+1 cc to M/s.P.Kannankumar Advocate sr 54633
+1 cc to Government Pleader sr 54227

W.P.No.33279 of 2016

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