

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.33331 of 2016

***K.Krishnan**

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Villupuram Region, Villupuram,
Villupuram District.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to disburse the petitioner's terminal benefits including Gratuity, Earned Leave Surrender, Social Security Scheme amount, Commutation amount and all other eligible retirement benefits together with 9% interest to the petitioner within stipulated time as fix by this Court.

For Petitioner : Mr.C.Prakasam

For Respondent : 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 respondent to disburse the petitioner's terminal benefits including Gratuity, Earned Leave Surrender, Social Security Scheme amount, Commutation amount and all other eligible retirement benefits together with 9% interest to the petitioner within a stipulated period fixed by this Court.

3. It is the case of the petitioner that he joined in the respondent corporation on 24.09.1991 as Conductor. He retired from service as a Conductor on attaining superannuation on 30.04.2016. On the date of his retirement, the respondent has paid the provident fund only and the other terminal benefits were not settled to him. In this regard, he made a representation dated 15.09.2016 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(CO)
Dated: 21.10.2016

*Corrected as per the letter
dated 21.12.2016 given
by the petitioner's counsel
Sd/
Assistant Registrar (CS VII)
Dated: 27.12.2016

//True Copy//

Sub Assistant Registrar

tsi

To

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
Villupuram Region, Villupuram,
Villupuram District.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.54267

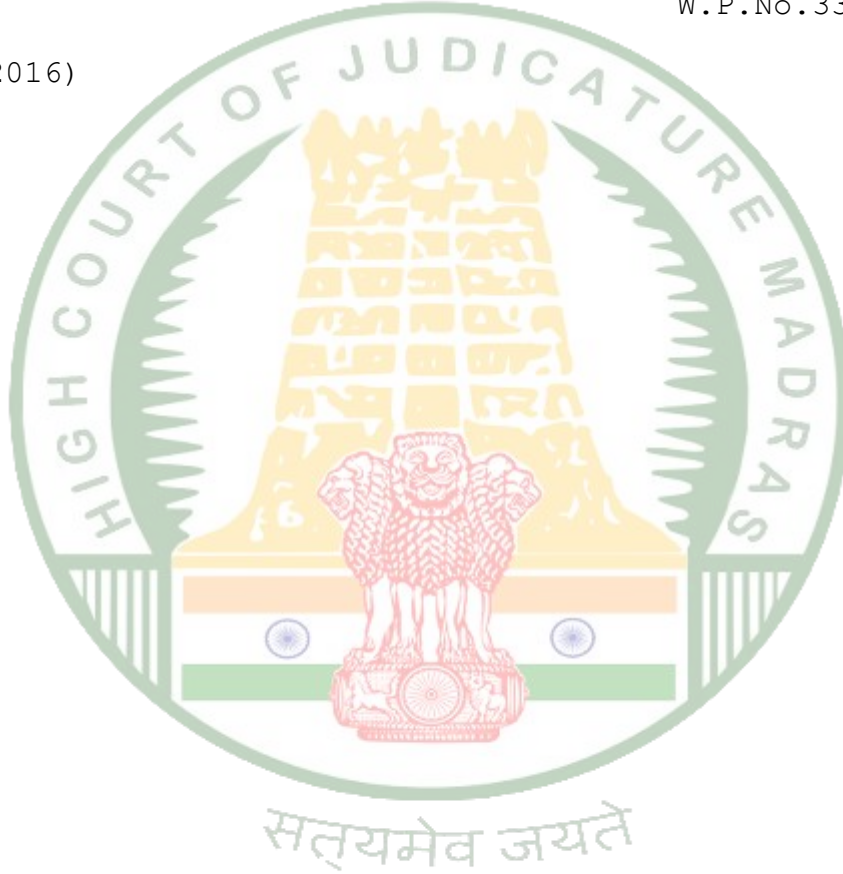
+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.54632

To be
substituted to
the order
already
desptched on
3.11.2016

W.P.No.33331 of 2016

CTK(CO)
CA(24/10/2016)

27/11



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