

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.33544 of 2016

M.Sekar, Staff No.CR08939

... Petitioner

Vs.

- 1 The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram-605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Limited
Tiruvannamalai Region,
Tiruvannamalai.
- 3 The Administrator
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
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 respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Medical Leave), 30 days Yearly Leave Surrender for the years 2014 & 2015, Welfare Fund, IRT Amount, CRBS Amount, Last 10 days salary, D.A. arrears and other attendant

benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.12.2015 within stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.D.Karthik
For Respondents : Mr.S.Sairaman

O R D E R

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 to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Medical Leave), 30 days Yearly Leave Surrender for the years 2014 & 2015, Welfare Fund, IRT Amount, CRBS Amount, Last 10 days salary, D.A. arrears and other attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.12.2015 within stipulated time as may be fixed by this Court.

3.It is the case of the petitioner that he joined in the Pattukkottai Azhagiri Transport Corporation on 25.07.1986 and retired from service in Tamil Nadu State Transport Corporation (Villupuram) Limited, Tiruvannamalai Region on 30.11.2015 as Special Grade Conductor.

The petitioner was not paid the retirement benefits like Gratuity, Pension Commutation, Leave Encashment (Earned & Medical Leave), 30 days Yearly Leave Surrender for the years 2014 & 2015, Welfare Fund, IRT Amount, CRBS Amount, Last 10 days salary, D.A. arrears. Hence, the petitioner made a representation dated 12.09.2016 to the respondents requesting 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.The learned counsel appearing for the petitioner submits that the petitioner has to undergo kidney transplantation and hence, he is in urgent need of money and prays for appropriate orders.

5.Heard the submissions of the learned counsel appearing for the petitioner and the learned counsel who takes notice for the respondents.

6.Considering the submissions made on either side and without going into the merits of the claim made by the petitioner, this Court directs the petitioner to give a fresh representation to the respondents, along with a copy of this order and the respondents on receipt of the

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same, shall consider the same and settle the amounts due to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order, as he is in urgent need of money.

7.The writ petition is disposed of accordingly. No costs.

23.09.2016

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Index: Yes/ No

Internet: Yes/ No

To

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