

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.3427 of 2016

S.Krishnan

[Petitioner]

Vs.

The Managing Director
Tamilnadu Transport Corporation Ltd.
No.12, Ramakrishna Road
Salem-7.

[Respondent]

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 19.10.2015 with regard to payment of retirement benefit within a stipulated time as fixed by this Honourable Court.

For Petitioner : Mr.Sundaravadhanam

For Respondent : Mr.R.K.Gandhi

O R D E R

The petitioner S.Krishnan served in the State Transport Corporation as Conductor from 10.3.1992. On reaching the age of superannuation, he retired from service with effect from 28.02.2013. His grievance is that although he has put in 21 years of unblemished record of service, his retiral benefits, namely Gratuity, Provident Fund, Earned leave, have not been paid, till today, inspite of his representation dated 19.10.2015.

2. At this juncture, Mr.R.K.Gandhi, after taking notice for the respondent, submits that the First Bench presided by Hon'ble Chief Justice while sitting in Madurai Bench in W.A.(MD) Nos.383 to 457 of 2015 passed a judgment dated 12.06.2015, directing 12 equal monthly instalments to settle the retiral benefits.

3. On the basis of the aforesaid order, both counsels sought for disposal of the matter.

4. Since I also passed a similar order in W.P.(MD) No.13905 of 2015 (A.Ramkumar vs. Managing Director of Tamil Nadu Transport Corporation Limited) dated 5.8.2015 by following the order passed by First bench presided by Hon'ble Chief Justice while sitting in Madurai Bench in Writ Appeal (MD) Nos.383 to 457 of 2015, this Court is inclined to grant 12 monthly equal instalments for disbursal of retiral benefits to the petitioner.

5. Hence, this Court hereby directs the respondent, viz., Managing Director, Tamil Nadu Transport Corporation Limited, Salem, to consider the representation of the petitioner dated 19.10.2015 on the basis of the order passed by the First Bench in Writ Appeal (MD) Nos.383 to 457 of 2015 dated 12.06.2015 and disburse the retiral benefits to the petitioner, within a period of twelve equal monthly instalments, commencing from March 2016.

The writ petition is disposed of with the above direction.
No costs.

ajr

s/d-
Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

The Managing Director
Tamilnadu Transport Corporation Ltd.
No.12, Ramakrishna Road
Salem-7.

+ 1 cc to Mr.R.K.Gandhi, Advocate SR 6710

+ 1 cc to M/s.Sundaravadanam, Advocate SR 6649

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