

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.34820 of 2016

R.Periyasamy

... Petitioner

vs.

State Express Transport Corporation,
(Tamil Nadu) Ltd.,
Represented by its Managing Director,
Pallavan Salai, Chennai - 02 ... Respondent

Prayer :- Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to pay all the terminal benefits payable to the petitioner including salary arrears in terms of settlement from 01.09.2013 to 31.05.2014, Provident Fund, Social Security Scheme Amount, refund of institute of Road Transport contribution amount, earned leave salary in terms of the settlement 12(3) of the Industrial Disputes Act dated 13.04.2015 together with interest at the rate of 18% per annum from the date of his retirement to till the date of payment within the time fixed by this Court.

For Petitioner : Mr.A.Rahul

For Respondent : Mr.P.Kannankumar

O R D E R

With the consent of both sides, the main writ petition itself is taken up for final disposal.

2. The writ petition has been filed seeking Mandamus directing the respondent to settle the retirement benefits, due to the petitioner, with interest, within the time that may be stipulated by this Court.

3. The petitioner is the retired employee of the respondent Corporation and he was not paid the retirement benefits due to him, fully. Hence, the petitioner made representation to the respondent requesting to pay all the retirement benefits. But, the same has not been 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 take notice for the respondent.

5. The issue involved in the present writ petitions 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/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

mrp

To

State Express Transport Corporation,
(Tamil Nadu) Ltd.,
Represented by its Managing Director,
Pallavan Salai, Chennai - 02

1 cc to M/s.E.K. Chandrasekar, Advocate, Sr. 56618
1 cc to M/s.P. Kannankumar, Advocate, Sr. 57379

W.P.No.34820 of 2016

SSK (CO)
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