

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.35336 of 2016

K.J.Vijayakumar

... Petitioner

vs.

The Managing Director
Tamil Nadu State Transport
Corporation Limited (Coimbatore)
37, Mettupalayam Road
Corporate Office
Coimbatore

... Respondent

Prayer: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing respondent to disburse the surrender Leave salary i.e, Earned Leave Balance as on 31.3.2012 with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed by this Court.

For Petitioner : Mr.I.C.Vasudevan

For Respondent : Mr.P.Kannan Kumar

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner joined the services of the Transport Corporation and he retired from service long before. The grievance of the petitioner is that though he retired from service long before, till date, he was not paid with the retirement benefits. In this regard, the petitioner submitted representations before the respondent, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned counsel, who has taken notice on behalf of the respondent.

4. 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).

5. 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 1.1.2017.

6. With the above direction, the present writ petition is disposed of. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

To
The Managing Director
Tamil Nadu State Transport Corporation Limited (Coimbatore)
37, Mettupalayam Road
Corporate Office, Coimbatore

+1 CC to Mr.I.C.VasudevanMr, Advocate Sr.No.57700

+1 CC to P.Kannan Kumar, Advocate Sr.No.58121

W.P.No.35336 of 2016

RP(CO)
KP(12.11.2016)