

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.35781 of 2016

A.Rajendiran, (Staff No.006)

... Petitioner

Vs.

- 1 Principal Secretary to Government
Transport Department
Secretariat, Fort St. George,
Chennai – 600 009.
- 2 Tamil Nadu State Transport
Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043
Represented by its Managing Director.
- 3 Tamil Nadu State Transport
Corporation Ltd.,
New Railway Station Road,
Kumbakonam – 1
Represented by its Managing Director.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the petitioner all his retirement benefits including Gratuity, Leave Salary amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this

Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

For Petitioner : Mr.A.N.Sivaprakasam
For Respondents : Mr.K.Dhananjayan for R1
Special Government Pleader
Mr.P.Kannan Kumar for R2 and R3

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 pay the petitioner all his retirement benefits including Gratuity, Leave Salary amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Court.

3.It is the case of the petitioner that he joined in the respondent Corporation on 01.10.1984 and retired from service on 31.05.2015 as

Senior Deputy Manager (HRD). The petitioner was not paid the retirement benefits like Gratuity, Leave Salary amount etc. Hence, the petitioner made representations dated 18.11.2015 and 20.09.2016 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.I have heard the learned counsel appearing for the petitioner, learned Special Government Pleader who takes notice for the first respondent and the learned counsel who takes notice for the respondents 2 and 3.

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 01.01.2017.

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

07.10.2016

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Index: Yes/ No Internet: Yes/ No

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