

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.35990 of 2016

H.Syed Nasrudeen

... Petitioner

vs.

1. The Secretary to Government,
Transport Department,
Government of Tamil Nadu,
Fort St. George,
Chennai-9.
 2. The Managing Director,
Tamil Nadu State Transport Corporation Ltd.
(TNSTC), No.12, Ramakrishna Road,
Salem-600 007.
 3. The Assistant Manager (Accounts),
Tamil Nadu State Transport Corporation Ltd.
(TNSTC), No.12, Ramakrishna Road,
Salem-600 007.
 4. The General Manager,
Tamil Nadu State Transport Corporation Ltd.
(TNSTC), Bharathipuram, Dharmapuri.
 5. The Branch Manager,
Tamil Nadu State Transport Corporation Ltd.
(TNSTC), Dharmapuri Town,
Dharmapuri District.
- ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents herein to consider the representation of the petitioner dated 10.09.2016 and to pay the balance terminal benefits specified therein, within a period that may be fixed by this Court.

For Petitioner	:	M/s.Elizabeth Ravi
For 1st Respondent	:	Mr.N.Srinivasan,
		Addl. Govt. Pleader
For Respondents 2 & 5	:	Mr.P.Paramasivadoss

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondents herein to consider the representation of the petitioner dated 10.09.2016 and to pay the balance terminal benefits specified therein, within a period that may be fixed by this Court.

3. The petitioner had been working as a SG Senior Driver under the 5th respondent from 15.02.1981 and retired from service on 30.09.2012. The grievance of the petitioner is that though he retired from service long before, till date, he was not paid with the retirement terminal benefits. In this regard, the petitioner submitted several representations before the respondents. However, till date, there was no response. Aggrieved against the same, the present Writ Petition has been filed.

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

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 respondents are 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.

Sd/-
Assistant Registrar(AS)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to Government,
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Government of Tamil Nadu,
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Chennai-9.
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Dharmapuri District.

+1cc to Mr.Elizobethravi, Advocate, S.R.No.58575
+1cc to the Government Pleader, S.R.No.58612

W.P.No.35990 of 2016

co(ak)
cp 12/11/2016