

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.36095 of 2016

P.Selvakumar

... Petitioner

Vs.

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

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondent to disburse the Surrender Leave Salary i.e. Earned Leave Balance as on 31.10.2013 and other monetary benefits to the petitioner with interest at 12% p.a. w.e.f. 01.04.2016 within a stipulated time 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 has come up with the present writ petition for a mandamus, directing the respondent to disburse the Surrender Leave Salary i.e. Earned Leave Balance as on 31.10.2013 and other monetary benefits to the petitioner with interest at 12% p.a. w.e.f. 01.04.2016 within a stipulated time fixed by this Court.

3. The petitioner joined in the Tamil Nadu State Transport Corporation on 15.3.1979 and he was lastly working at Erode Region. He retired from service on 31.10.2013 as Grade I Conductor. 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 respondents, on various dates. 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 respondent.

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.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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To

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

+1cc to Mr.I.C.Vasudevan, Advocate, S.R.No.58661

+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.59182

W.P.No.36095 of 2016

KS (CO)

CA(21/11/2016)