

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.36096 of 2016

A.Natarajan

... Petitioner

Vs.

1. Tamil Nadu State Transport Corporation
(Salem) Limited,
Rep.by its Managing Director,
12, Ramakrishna Road, Salem-636 007.
2. The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Dharmapuri Region, Krishnagiri Town Depot,
Krishnagiri.
3. Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
rep. by its Administrator,
Thiruvalluvar Illam,
Pallavan Salai, Chennai-2.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the respondents to pay and settle all the retirement benefits due to the petitioner, earned leave salary and all other benefits together with interest at the rate of 18% per annum from the date when the payment became due till the date of payment to the petitioner, within a specified time limit fixed by this Court.

For Petitioner : Mr.S.P.Pravadhraj Arumugam

For Respondents : 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 to pay and settle all the retirement benefits due to the petitioner, earned leave salary and all other benefits together with interest at the rate of 18% per annum from the date when the payment became due till the date of payment to the petitioner, within a specified time limit fixed by this Court.

3. The petitioner joined as a driver on 01.09.1986 and retired from service on 30.04.2011 on reaching the age of superannuation. The grievance of the petitioner is that though he retired from service long before, till date, he was not paid with some of the retirement benefits. In this regard, the petitioner submitted a representation before the respondents, on 28.09.2016. 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(J)

//True Copy//

Sub Assistant Registrar

tsi

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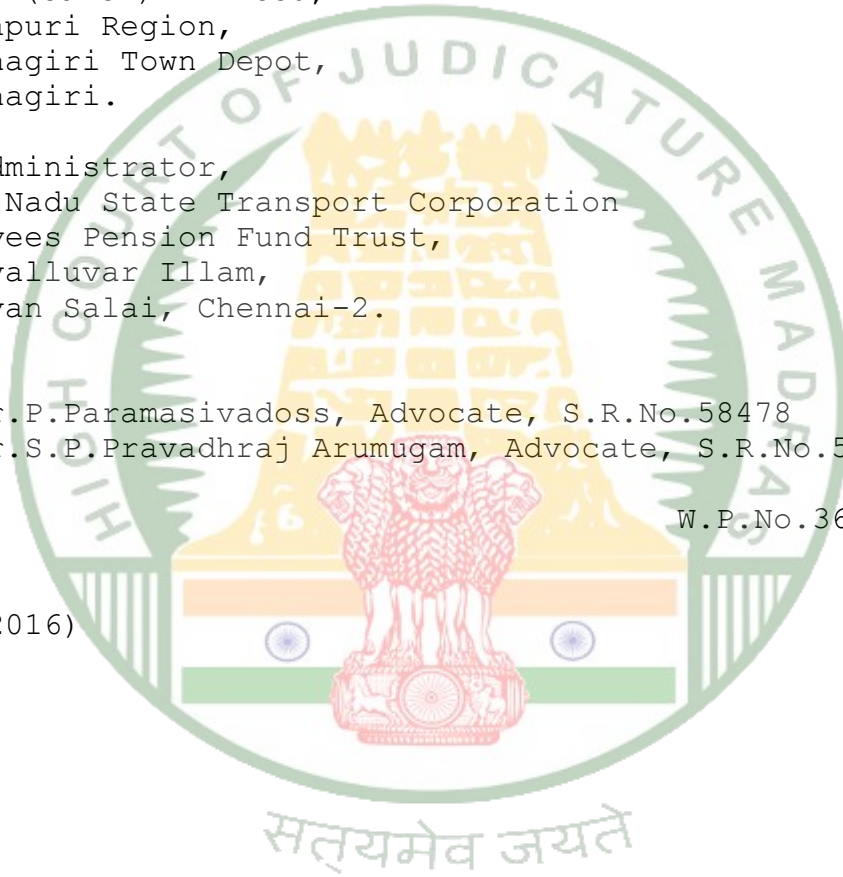
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+1cc to Mr.P.Paramasivadosh, Advocate, S.R.No.58478

+1cc to Mr.S.P.Pravadhraj Arumugam, Advocate, S.R.No.58372

W.P.No.36096 of 2016

KS (CO)
CA(21/11/2016)



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