

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.10.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition No.36200 of 2016

P.Charles Asir Jesudasan

... Petitioner

vs.

1. Tamil Nadu State Transport Corporation
(Salem) Limited
rep. by its Managing Director,
Salem-636 007.

2. The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Salem-636 007.

.... 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 settle all the terminal benefits, namely, Gratuity, Commutation, Earned Leave Surrender payment along with interest at 12% per annum from the date of superannuation of the petitioner from service within a time frame.

For Petitioner : Mr.K.M.Ramesh

For Respondents : Mr.P.Paramasivadosh

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 settle all the terminal benefits, namely, Gratuity, Commutation, Earned Leave Surrender payment along with interest at 12% per annum from the date of superannuation of the petitioner from service within a time frame.

3. The petitioner joined as Tradesman on 03.06.1987 and was lastly worked as Senior Assistant in Disciplinary Proceedings Cell of the Head Office at Salem and he retired from service on 31.07.2015 after attaining 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 the terminal benefits except the provident fund amount. 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 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.

-s/d-

Assistant Registrar

true copy

Sub-Assistant Registrar

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To

1. Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Salem-636 007.

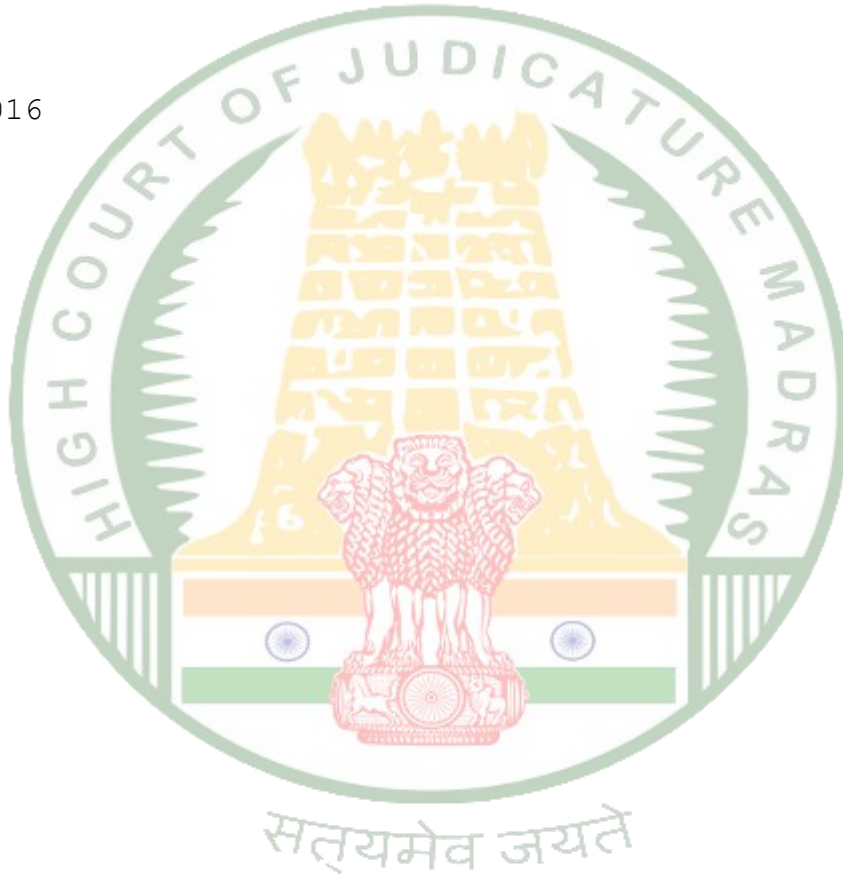
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2. The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Salem-636 007.

+1 cc to M/s.K.M.Ramesh Advocate sr 58340

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