

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36417 of 2016

P.Rajendran

... Petitioner

Vs.

- 1 Tamilnadu State Transport Corporation (Villupuram) Limited,
Rep. by its Managing Director,
No.3/37, Salamedu,
Vazhuthareddy Post,
Villupuram - 605 602.
 - 2 Tamilnadu State Transport Corporation (Villupuram) Limited,
Rep. by its General Manager
Head Office,
Kancheepuram.
 - 3 Tamilnadu State Transport Corporation (Villupuram) Limited,
Rep. by its Divisional Manager (Finance),
No.3/37, Salamedu,
Villupuram - 605 602.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the retirement benefits payable to the petitioner including Service Gratuity, Commutation amount, Provident Fund Amount (Employers' contribution) revised Pension with arrears and all other attendant retirement benefits with interest at the rate of 12% per annum payable from the date of retirement within the time that may be stipulated by this Honourable Court.

For Petitioner
For Respondents

: Mr.K.Selvaraj
: Mr.P.Kannan Kumar

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 settle the retirement benefits payable to the petitioner including Service Gratuity, Commutation amount, Provident Fund Amount (Employers' contribution) revised Pension with arrears and all other attendant retirement benefits with interest at the rate of 12% per annum payable from the date of retirement within the time that may be stipulated by this Court.

3.It is the case of the petitioner that he joined in the Thanthai Periyar Transport Corporation (Villupuram) Limited, on 10.01.1990 and retired from service on 30.06.2016 as Senior Tradesman. The petitioner was not paid the retirement benefits like Service Gratuity, Commutation amount, Provident Fund Amount (Employers' contribution), revised Pension with arrears. Hence, the petitioner made representation dated 15.07.2016 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 and the learned counsel who takes notice for 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 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

//True Copy//

Sub Assistant Registrar

To

- 1 The Managing Director,
Tamilnadu State Transport Corporation (Villupuram) Limited,
No.3/37, Salamedu,
Vazhuthareddy Post,
Villupuram - 605 602.
- 2 The General Manager
Tamilnadu State Transport Corporation (Villupuram) Limited,
Head Office,
Kancheepuram.
- 3 The Divisional Manager (Finance),
Tamilnadu State Transport Corporation (Villupuram) Limited,
No.3/37, Salamedu,
Villupuram - 605 602.

+1cc to Mr. C Selvaraj, Advocate, S.R.No.58644
+1cc to the Government Pleader, S.R.No.59567

md (8/11/2016)

W.P.No.36417 of 2016

सत्यमेव जयते

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