

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36637 of 2016

G.Manoharan

... Petitioner

Vs.

- 1 The Managing Director
Tamilnadu State Transport Corporation (VPM) Limited,
No.3/137, Salamedu,
Vazhuthareddy,
Villupuram – 605 602.
- 2 The General Manager
Tamilnadu State Transport Corporation (VPM) Limited,
No.3/137, Salamedu,
Vazhuthareddy,
Villupuram – 605 602.
- 3 The Administrator
Tamilnadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002.

... 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, including Gratuity, Leave Salary, Post retirement scheme arrears and all other attendant retirement benefits etc., with

interest at the rate of 12% for the belated settlement of retirement benefits including the commuted value of pension, gratuity etc., to the petitioner payable from the date of retirement i.e., 30.06.2014 to till the date of actual payment within the time that may be stipulated by this court on par with the similar issue decided in W.P.(MD) No.19544 of 2014 dated 23.07.2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly installments and to pay 6% interest to the terminal benefits payable to the employee.

For Petitioner : Mr.K.Narayanan
For Respondents : 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 Gratuity, Leave Salary, Post retirement scheme arrears and all other attendant retirement benefits etc., with interest at the rate of 12% for the belated settlement of retirement benefits including the commuted value of pension, gratuity etc., to the petitioner payable from the date of retirement i.e., 30.06.2014 to till the date of actual payment within

the time that may be stipulated by this court on par with the similar issue decided in W.P.(MD) No.19544 of 2014 dated 23.07.2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly instalments and to pay 6% interest to the terminal benefits payable to the employee.

3.It is the case of the petitioner that he joined in the respondent Corporation on 23.10.1985 and retired from service on 30.06.2014 as Special Grade Conductor. The petitioner was not paid the retirement benefits like Gratuity, Leave Salary, Post retirement scheme arrears etc. Hence, the petitioner made representation dated 22.09.2016 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.

20.10.2016

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Index: Yes/ No
Internet: Yes/ No

Note: Issue order copy on 24.10.2016

To

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R.SUBBIAH,J.
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