

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.37251 of 2016

A.Manoharan

... Petitioner

Vs.

The Managing Director
Tamil Nadu State Transport Corporation Limited,
12, Ramakrishna Salai,
Salem - 636 007.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 16.08.2016 seeking retired monetary benefits Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of Salary amount and Dearness Allowance, Service benefits, Pension, Bonus, Society Fund, Security Fund, surrendered medical leave accrued in his credit so far in his credit in accordance with law within time fixed by this Honourable Court.

For Petitioner : Mr.A.Ganesan

For Respondent : Mr.P.Paramasivadosh

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 respondent to consider the petitioner's representation dated 16.08.2016 seeking retired monetary benefits Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of Salary amount and Dearness Allowance, Service benefits, Pension, Bonus, Society Fund, Security Fund, surrendered medical leave accrued in his credit so far in his credit in accordance with law within time fixed by this Honourable Court.

3.It is the case of the petitioner that he was working in the respondent and retired from service on 31.12.2015 as Senior Technician. The petitioner was not paid the retirement benefits

like Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of Salary amount and Dearness Allowance, Service benefits, Pension, Bonus, Society Fund, Security Fund, surrendered medical leave accrued in his credit. Hence, the petitioner made representation dated 16.08.2016 to the respondent 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 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/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

The Managing Director
Tamil Nadu State Transport Corporation Limited,
12, Ramakrishna Salai,
Salem - 636 007.

+1 cc to Mr.A.Ganesan,advocate,sr.61132.

gr(co)
krd 24/11

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