

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.37679 of 2016

M.Vasu

... Petitioner

Vs.

1 The Managing Director
Tamilnadu State Transport Corporation
Villupuram – 605 602.

2 The General Manager
Tamilnadu State Transport Corporation
Vellore Region,
Vellore – 632 009.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to pay me the admitted amount of Rs.1,27,333/- towards medical leave in terms of money and the Gratuity amount of Rs.2,84,018/- and such other benefits not specifically mentioned herein with interest at 18% per annum from the date of superannuation on 30.06.2013 till it is paid.

For Petitioner : Mr.M.R.Khapali
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 directing the respondents herein to pay the petitioner the admitted amount of Rs.1,27,333/- towards medical leave in terms of money and the Gratuity amount of Rs.2,84,018/- and such other benefits not specifically mentioned herein with interest at 18% per annum from the date of superannuation on 30.06.2013 till it is paid.

3.It is the case of the petitioner that he joined in the first respondent Corporation and retired from service on 30.06.2013 as Senior Grade Driver. The petitioner was not paid the retirement benefits like the admitted amount towards medical leave in terms of money and gratuity etc. The petitioner has also sent a legal notice dated 05.10.2016 to the first respondent, but no response is forthcoming. 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 take 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 01.02.2017.

7.With the above direction, the present writ petition is disposed of. No costs.

01.11.2016

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Index: Yes/ No
Internet: Yes/ No

R.SUBBIAH,J.

To

- 1 The Managing Director
Tamilnadu State Transport Corporation
Villupuram – 605 602.
- 2 The General Manager
Tamilnadu State Transport Corporation
Vellore Region,
Vellore – 632 009.

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