

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.38131 of 2016

S.Mathiprakash

... Petitioner

Vs.

The Managing Director
Tamil Nadu State Transport Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent herein to pay the petitioner his retirement benefits with interest to the petitioner as per his representation made to the respondent on 14/09/2016.

For Petitioner : Mr.S.Balasubramanian
For Respondent : 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 respondent herein to pay the petitioner his retirement

benefits with interest to the petitioner as per his representation made to the respondent on 14.09.2016.

3.It is the case of the petitioner that he retired from service on 31.05.2013 as Senior Checking Inspector from the respondent Corporation. The petitioner was not paid the retirement benefits like Gratuity Arrears, Earned Leave Surrender Salary including Medical Leave, Dearness Allowance and Arrears of Settlement Salary Difference from 01.09.2010 till the date of retirement. The petitioner made representation to the respondent requesting to pay all the retirement benefits. But, the same has not been 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 01.02.2017.

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

03.11.2016

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Index: Yes/ No

Internet: Yes/ No

To

The Managing Director
Tamil Nadu State Transport Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

R.SUBBIAH,J.
pri

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