

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.38436 of 2016

D.Kannan

... Petitioner

Vs.

1. The Principal Secretary to Government,
Transport Department,
Fort St. George, Chennai-9.

2. The Managing Director,
Metropolitan Transport Corporation
(Chennai) Limited,
Pallavan Salai, Chennai-2.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the 2nd respondent to disburse the terminal benefits, viz. Gratuity Amount Rs.2,15,000/-, Provident Fund Employer Contribution Amount Rs.2,00,000/- and IRT Contribution Amount Rs.4,000/-, the total comes to Rs.4,19,000/- (Rupees Four Lakhs and Nineteen Thousand Only) with 18% interest on delayed payment to the petitioner Staff No.A24243 who resigned from service on 29.03.2014.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.S.Sairaman

COMMON ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner joined the services of the Transport Corporation and he resigned from service long before. The grievance of the petitioner is that though he resigned from service long before, till date, he was not paid with the terminal benefits. In this regard, the petitioner submitted representations before the respondents, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned counsel, who has taken notice on behalf of the respondents.

4. The issue involved in the present writ petitions 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).

5. Following the said judgment, without going into the merits of the matter, the 2nd respondent is directed to disburse the aforementioned terminal 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.

6. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government,
Transport Department,
Fort St. George, Chennai-9.

2. The Managing Director,
Metropolitan Transport Corporation
(Chennai) Limited, Pallavan Salai,
Chennai-2.

+1cc to Mr.D.Veerasekaran, Advocate, S.R.No.62753
+1cc to Mr.S.Sairaman, Advocate, S.R.No.63427
+1cc to the Government Pleader, S.R.No.63304

W.P.No.38436 of 2016

RK(CO)
CA(07/12/2016)