

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.38902 of 2016

V.Sekar

... Petitioner

vs.

The Managing Director,
Tamil Nadu State Transport Corporation
Limited,
37, Mettupalayam Road,
Coimbatore-641 043.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondent to consider the representation of the petitioner dated 08.07.2016 forthwith and to disburse the retirement benefits, gratuity, Provident Fund, Earned, Unearned Leave, Welfare Fund and all other monetary benefits accrued to the service of the petitioner together with interest in accordance with law within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.K.Muthuganesapandian

For Respondent : Mr.P.Kannan Kumar

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 retired from service long before. The grievance of the petitioner is that though he retired from service long before, till date, he was not paid with the retirement benefits. In this regard, the petitioner submitted a representation dated 08.07.2016 before the respondent. 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 respondent.

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 respondent is directed to consider the representation of the petitioner dated 08.07.2016 and 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.

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

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

To

The Managing Director,
Tamil Nadu State Transport Corporation
Limited,
37, Mettupalayam Road,
Coimbatore-641 043.

+1 cc to Mr.K.Muthuganeshpandian, advocate, sr.63958.

ks(co)
krd 14/12

W.P.No.38902 of 2016

WEB COPY