

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

Writ Petition No.39111 of 2016

B.Venkatesan

... Petitioner

Vs.

1. The Managing Director,
Tamil Nadu Government Transport Corporation,
Villupuram Limited,
Villupuram-605 602.
 2. The General Manager,
Tamil Nadu Government Transport Corporation,
Kancheepuram (Head Office),
Kancheepuram T.K. and District.
 3. The Assistant Manager,
Tamil Nadu Government Transport Corporation,
Villupuram Zone,
Ponneri Depot, Thiruvallur District
- ... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation, dated 12.09.2016 to issue his legitimate service benefits due to him within the stipulated period.

For Petitioner : Mr.A.Thamizharasan

For Respondents : Mr.S.Sairaman

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation, dated 12.09.2016 to issue his legitimate service benefits due to him within the stipulated period.

2. The case of the petitioner is that he joined the services of the first respondent-Transport Corporation on 27.04.1981 and he attained superannuation from service on 31.07.2013 as Junior Tradesman-Class-I, after completing 30 years of continuous service. The grievance of the petitioner is that though he retired from

service in 2013 itself and though there was no adverse remark during his service, yet, till date, he has not been paid the retirement/service benefits. In this regard, the petitioner submitted a representation on 12.09.2016 to the respondents. It is his further grievance that he is suffering for basic needs and unable to run his family. Till date, there was no response from the respondents. Hence, the petitioner has filed this Writ Petition for the above said relief.

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 Petition is squarely covered by a judgment of the Division Bench of the Madurai Bench of this Court made in W.A.(MD).Nos.383 to 457 of 2015, dated 12.6.2015 (K.Rajendran and others Vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others). The said Division Bench judgment of this Court was also confirmed by the Supreme Court in S.L.P.(C).Nos.20721 to 20775 of 2015, dated 30.11.2015.

5. Following the said judgments, without going into the merits of the case, the respondents are directed to disburse the aforementioned retirement/service benefits to the petitioner herein, which have been detailed in his above said representation, dated 12.09.2016, in twelve equal monthly instalments, in the light of the abovesaid judgments. It is also made clear that the first instalment shall commence from 01.02.2017 and each instalment should be paid on or before 7th of every month.

6. With the above observations and directions, the Writ Petition is disposed of. No costs.

cs

Sd/-

Assistant Registrar

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Sub-Assistant Registrar

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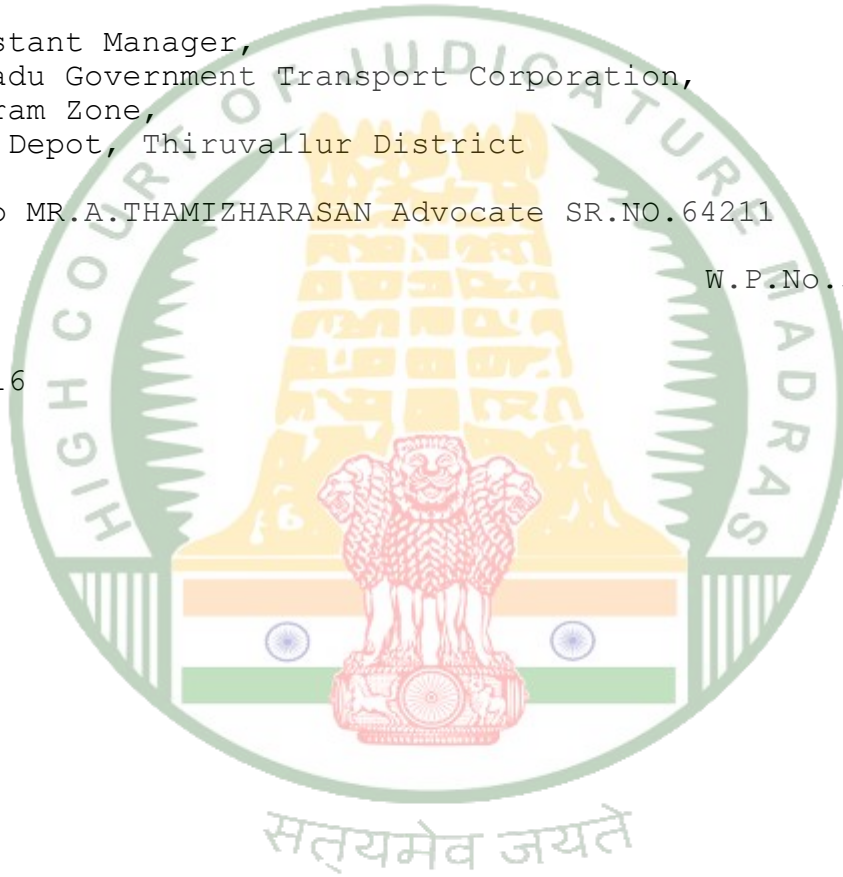
Copy to

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Ponneri Depot, Thiruvallur District

+1CC to MR.A.THAMIZHARASAN Advocate SR.NO.64211

W.P.No.39111 of 2016

PVJ[CO]
MK:30/12/2016



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