

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.39147 of 2016

S.Ponniah

... Petitioner

vs.

1. The Government of Tamil Nadu,
rep. by the Secretary,
Transport Department,
Secretariat,
St. George Fort,
Chennai 600 009.

2. The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
Tirunelveli.

3. The General Manager,
Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
Nagercoil Region,
Nagercoil.

4. The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai 600 002.

... Respondents

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity, Leave Surrender (EL & ML), DA arrears and settlement arrears with interest at the rate of not less than 18% per annum payable from the date of retirement, i.e. 30.06.2011 till the date of actual payment to the petitioner.

For Petitioner : Mr.T.Senthil Velmurugan

For R1 : Mr.K.Dhananjayan,
Special Government Pleader

For R2 to R4 : Mr.R.K.Gandhi

O R D E R

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 on 30.06.2011. The grievance of the petitioner is that though he retired from service long before, till date, he is not paid with the retirement benefits. In this regard, the petitioner submitted representations before the respondents, on various dates. However, till date, there is no response. Aggrieved by the same, the present Writ Petition is 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 Petition is squarely covered by the judgment of a 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. In the light of the said Division Bench judgment of this Court, without going into the merits of the case, the respondents are directed to disburse the aforementioned retiral benefits to the petitioner herein, in twelve equal monthly instalments. It is also made clear that the first instalment payable to the petitioner shall commence from 01.02.2017.

With the above direction, this Writ Petition is disposed of.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To:

1. The Secretary,
Government of Tamil Nadu,
Transport Department,
Secretariat,
St. George Fort,
Chennai 600 009.
2. The Managing Director,
Tamil Nadu State Transport
Corporation (Tirunelveli) Limited,
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Nagercoil.
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Chennai 600 002.

+1 cc to Mr.T.senthil Velmurugan Advocate sr 65088

+1 cc to the Government Pleader sr 64946

W.P.No.39147 of 2016

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