

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.39322 of 2016

R.Sukumar ... Petitioner

Vs.

- 1 Secretary to the Government,
Transport Department,
St.George Fort,
Chennai - 600 009.
 - 2 The Managing Director,
Tamil Nadu State Transport Corporation,
Ramakrishna Road, Asthampatti,
Salem - 7.
 - 3 The General Manager
Tamilnadu State Transport Corporation
Bharathi Puram, Dharmapuri.
 - 4 The Branch Manager
Tamilnadu State Transport Corporation
Krishnagiri Mofussil,
Krishnagiri - 1.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to immediately settle the pension of the petitioner which he is eligible with arrears.

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For Petitioner : Mr.K.Sankar Krishnan

For Respondents : Mr.K.Dhananjayan for R1
Special Government Pleader
Mr.R.K.Gandhi for R2 to R4

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 respondents to immediately settle the pension of the petitioner which he is eligible with arrears.

3.It is the case of the petitioner that he joined in the respondent Corporation on 09.05.1987 and retired from service on 31.07.2015. The petitioner was not paid the retirement benefits due to him. 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, the learned Special Government Pleader who takes notice for the first respondent and the learned counsel who take notice for the respondents 2 to 4.

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.

pri

Sd/-
Assistant Registrar

/TRUE COPY/

Sub-Assistant Registrar

To

- 1 Secretary to the Government,
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Chennai - 600 009.
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Bharathi Puram, Dharmapuri.
- 4 The Branch Manager
Tamilnadu State Transport Corporation
Krishnagiri Mofussil, Krishnagiri - 1.

+1CC to MR.K.SANKAR KRISHNAN Advocate SR.NO.65400

W.P.No.39322 of 2016

KJI[CO]
MK:21/12/2016



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