

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.39325 of 2016

A.Ayyavu

... Petitioner

Vs.

M/s.Tamil Nadu State Transport Corporation (Kovai) Limited,
Rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore - 641 043. ... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle my terminal benefits gratuity amount of Rs.7,00,000/-, Provident Fund amount of Rs.4,00,000/-, Surrender of earned leave 240 days and medical leave 21 days amount of Rs.4,00,000/-, Social Security Scheme amount of Rs.35,000/- and already surrendered 60 days earned leave amount of Rs.60,000/- altogether a sum of Rs.15,95,000/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 08.10.2016.

For Petitioner : Mr.D.Soundarraaj

For Respondent : Mr.P.Kannan Kumar

सत्यमेव जयते
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 settle the petitioner's terminal benefits namely, gratuity amount of Rs.7,00,000/-, Provident Fund amount of Rs.4,00,000/-, Surrender of earned leave 240 days and medical leave 21 days amount of Rs.4,00,000/-, Social Security Scheme amount of Rs.35,000/- and already surrendered 60 days earned leave amount of Rs.60,000/- altogether a sum of Rs.15,95,000/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 08.10.2016.

3.It is the case of the petitioner that he was appointed by the respondent Corporation on 12.06.1987 and retired from service on 31.05.2015 as Selection Grade Assistant. The petitioner was not paid the retirement benefits like Gratuity, Provident Fund, Surrender of Earned Leave 240 days and Medical Leave 21 days, Social Security Scheme amount of Rs.35,000/- and already surrendered 60 days Earned Leave Amount. Hence, the petitioner made a representation dated 08.10.2016 to the respondents requesting to pay all the retirement benefits. But, the same was not considered so far. 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 and the learned counsel who takes notice for the respondent.

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

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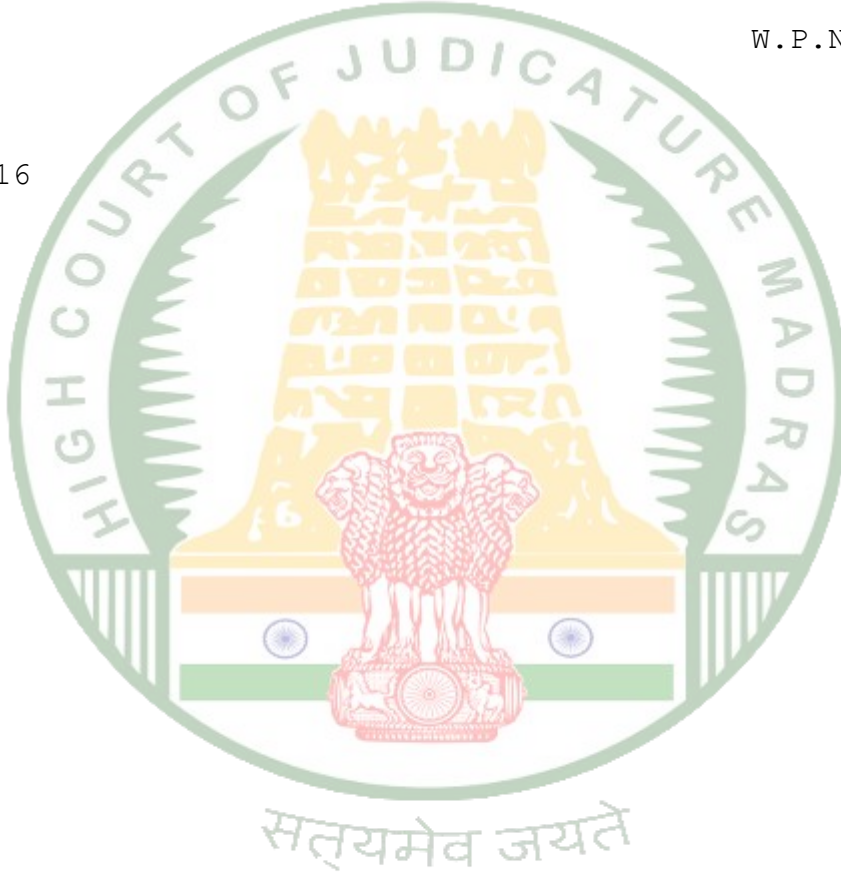
To

The Managing Director,
M/s.Tamil Nadu State Transport
Corporation (Kovai) Limited,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

+1CC to MR.D.SOUNDARRAJ Advocate SR.NO.64441

W.P.No.39325 of 2016

KJI[CO]
MK:21/12/2016



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