

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.11.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition No.40040 of 2016

M.S.Kandavel

... Petitioner

Vs

1 M/s.Tamil Nadu State Transport
Corporation (Villupuram) Ltd Rep by
Managing Director 3/137 Thalamdu Vazhudha
Reddy Post Villupuram- 605602

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle the terminal benefits of the petitioner of gratuity amount of Rs.10,00,000/-, Surrender of earned leave 232.5 days amount of Rs.8,35,474/- Unearned leave 3 months amount of Rs.3,23,409/- Erode Engineering College and Perundurai Medical College refund amount of Rs.5 320/- and commutation amount of Rs.7,95,078/- altogether a sum of Rs.29,59,281/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 07.11.2016.

For Petitioner : Mr.D.Soundarraaj

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 representations before the respondent, on various dates. 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 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).

5. 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 1.2.2017.

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

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

To

1 The Managing Director
M/s.Tamil Nadu State Transport
Managing Director 3/137 Thalamdu
Vazhudha Reddy Post, Villupuram 605 602

+1 cc to M/s.D.Soundararaj Advocate sr 65526

+1 cc to P.Kannan Kumar Advocate sr 67177

W.P.No.40040 of 2016

gmI (co)
aa15/12/2016