

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40052 of 2016

1 D.Sundaramurthy ... Petitioner

Vs

- 1 Metroplitan Transport Corporation Ltd Rep by The Managing Director Pallavan House No.2 Pallavan Salai Chennai-600 002
- 2 Metropolitan Transport Corporation Ltd Rep by the General Manager Pallavan House No.2 Pallavan Salai Chennai-600 002
- 3 Tamil Nadu State Transport Corporation (MTC) Ltd Employees Post Retirement Welfare Fund Scheme Rep by The Administrator Thiruvalluvar House Pallavan Salai Chennai-600 002 ... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the Respondents to settle the retirement benefits of Leave Salary, revised Pension, Pension Arrears that are payable to the Petitioner and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Honourable Court by considering and passing orders on the representation of the petitioner dated 01.11.2016.

For Petitioner : Mr.N.Ishak
For Respondents : Mr.S.Sairaman

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 respondents, 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 respondents.

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 respondents are 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

sbi

To

- 1 The Managing Director
Metroplitan Transport
Corporation Ltd Pallavan House No.2 Pallavan
Salai Chennai-600 002
- 2 The General Manager Metropolitan Transport
Corporation Ltd
Pallavan House No.2 Pallavan Salai
Chennai-600 002
- 3 The Administrator
Tamil Nadu State Transport
Corporation (MTC) Ltd Employees Post
Retirement Welfare Fund Scheme
Thiruvalluvar House Pallavan
Salai Chennai-600 002

+1cc to Mr.S. Sairaman, Advocate, S.R.No.66247

+1cc to Mr.N. Ishak, Advocate, S.R.No.65589

ppa (CO)
md (29/11/2016)

W.P.No.40052 of 2016

सत्यमेव जयते

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