

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.40173 of 2016

P.Nagappan

... Petitioner

vs.

M/s. Tamil Nadu State Transport Corporation

(Covai) ltd.,

rep. by its Managing Director,

No.37, Mettupalayam Road,

Coimbatore-43

... Respondent

Prayer :- 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's provident fund amount of Rs.11,58,664/-, gratuity amount of Rs.5,15,415/-, surrender of earned leave 240 days and medical leave 90 days amount of Rs.4,02,930/-, social security scheme amount of Rs.35,000/-, commutation amount of Rs.2,24,717/- and pending 60 days earned leave amount of Rs.60,000/- altogether a sum of Rs.23,96,800/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 17.10.2016.

For Petitioner : Mr.D. Soundarraaj

For Respondents : Mr.P. Kannankumar

O R D E R

With the consent of both sides, the main writ petition itself is taken up for final disposal.

2. The writ petition has been filed seeking Mandamus directing the respondents to settle the retirement benefits, due to late C.N.Kuthalingam, husband of the petitioner, with interest, within the time that may be stipulated by this Court.

3. The petitioner was the retired employee of the respondents Corporation and he was not paid the retirement

benefits due to him, till his death. Hence, the petitioner made representation to the respondent requesting to pay all the retirement benefits. But, the same has not been 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 take notice for the respondents.

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 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 01.02.2017.

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

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

mrp

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To

The Managing Director,
Tamil Nadu State Transport Corporation (Covai) ltd.,
No.37, Mettupalayam Road,
Coimbatore-43

1 cc to Mr., Soundar raj, Advocate, Sr. 66220
1 cc to Mr., Kannankumar, Advocate, Sr. 67178

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MG (CO)
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