

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.11.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.40190 of 2016

1. J.Valli
 2. J.Kavinkumar
 3. Pongiammal
-Petitioners

vs.

The General Manager,
Tamil Nadu State Transport
Corporation Limited (Coimbatore),
Erode Regional Office,
Chennaiimalai Road,
Erode. 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 disburse the payments relating to surrender leave salary i.e. Earned leave balance as on 30.06.2011, earned leave balance amount and other monetary benefits by calculating D.A. Eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.07.2011 within stipulated time as fixed by this Court.

For Petitioner : Mr.I.C.Vasudevan
For Respondent : Mr.P.Kannan Kumar

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 the deceased Jeyaraj, who is the wife of the first petitioner, father of the second petitioner and mother of the third petitioner, with interest, within the time that may be stipulated by this Court.

3. The deceased Jeyaraj was the retired employee of the

respondent Corporation and he was not paid the retirement benefits due to him, fully. Hence, the first 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 petitioners and the learned counsel who take 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.

Sd/-

Assistant Registrar

//True Copy//सत्यमेव जयते

Sub Assistant Registrar

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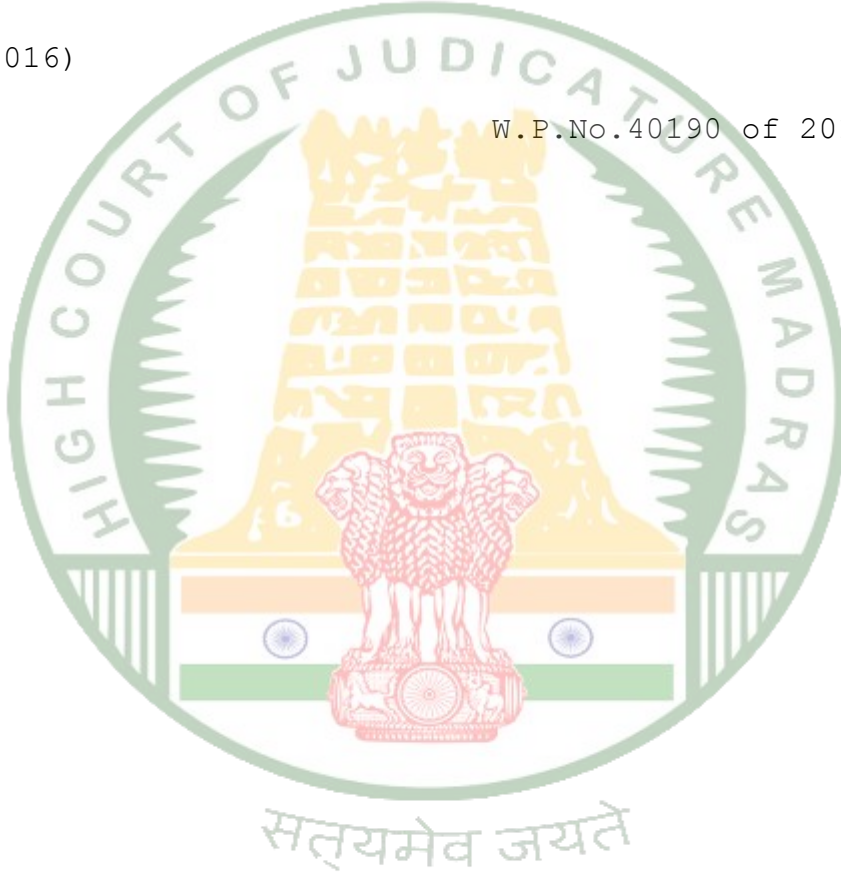
To

The General Manager,
Tamil Nadu State Transport
Corporation Limited (Coimbatore),
Erode Regional Office,
Chennaimalai Road,
Erode.

+1cc to Mr.I.C. Vasudevan, Advocate, S.R.No.66264
+2cc to Mr.P. Kannan Kumar, Advocate, S.R.No.67157

sgi (CO)
md(21/11/2016)

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