

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40420 of 2016

K.Gopal

... Petitioner

vs.

1 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited Salem 636 007

2 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited Regional Office
Dharmapuri 636 705

3 The Assistant Manager
(Provident Fund and Pension)
Tamil Nadu State Transport
Corporation (Salem) Limited
Salem 636 007

.... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse all eligible retirement benefits due to the petitioner with 6% interest p.a within a stipulated time fixed by this Honourable Court.

For Petitioner : Mr.J.Bharathiraja
For Respondents : Mr.R.K.Gandhi

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner joined the service 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(CS III)

//True Copy//

Sub Assistant Registrar

sbi
To

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited Salem 636 007
 - 2 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited Regional Office
Dharmapuri 636 705
 - 3 The Assistant Manager
(Provident Fund and Pension) Tamil Nadu
State Transport Corporation (Salem) Limited
Salem 636 007
- + 1 cc to Mr.J. Bharathiraja, Advocate Sr.66814

W.P.No.40420 of 2016

RSY(CO)

Eu 21.12.16