

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.40542 of 2016

B.Dhasarathan

... Petitioner

vs.

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary,
Transport Department,
Secretariat, Fort St. George,
Chennai - 600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation
(VPM) Ltd.,
3/ 137 Salamedu,
Valuthareddy - post,
Villupuram - 605 602.
3. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

.... Respondents

Prayer :- Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to settle the petitioner's terminal benefits namely gratuity, DA arrears, Pensioner DA arrears, Pension commutation, settlement arrears, social welfare scheme, retirement benefits scheme and other eligible terminal benefits with 18% interest on delayed payment to the petitioner from 31.05.2016 the date of retirement to till the date of settlement of the terminal benefits to the petitioner in the light of the common order passed in W.A.(MD) Nos.383 to 457 of 2015 dated 09.11.2016.

For Petitioner	:	M/s.Vijaya & Anandh
For Respondents	:	Mr.O.Selvam, Govt. Advocate, for R1.
	:	Mr.P.Kannan Kumar, for R2 & R3

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 petitioner, with interest, within the time that may be stipulated by this Court.

3. The petitioner is the retired employee of the respondents Corporation and he was not paid the retirement benefits due to him, fully. 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/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Principal Secretary,
Government of Tamil Nadu,
Transport Department,
Secretariat, Fort St. George,
Chennai - 600 009.
 2. The Managing Director,
Tamil Nadu State Transport Corporation
(VPM) Ltd.,
3/ 137 Salamedu,
Valuthareddy - post,
Villupuram - 605 602.
 3. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.
- + 1 cc to M/s. Vijaya & Anandh, Advocate SR.66854
+ 1 cc to Government Pleader Sr.67514
+ 2 ccs to M/s. P. Kannan Kumar, Advocate Sr.67840

W.P.No.40542 of 2016

TM(CO)
Eu 15.12.16

सत्यमेव जयते

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