

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.40545 of 2016

P.Veerappan

... Petitioner

vs.

1. The Management of
Tamil Nadu State Transport Corporation
(Kovai) Limited,
rep. by its Managing Director,
Coimbatore.

2. The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar Illam, Anna 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 first respondent to pay the petitioner Rs.5,78,371/- towards gratuity, Rs.3,62,166/- towards leave salary and Rs.1,03,971/- towards encashment of leave on personal affairs, together with 18% interest per annum, along with interest amount towards the delayed payment of EPF Employee's Contribution amount Rs.3,04,973/- for the period from 31.03.2013 to 27.05.2013 at the rate as per EPF scheme and further directing the respondents 1 and 2 to pay him interest amount towards the delayed payment of pension commutation amount Rs.3,00,452/- for the period from 01.04.2013 to 25.10.2013 at the rate of 18% p.a.

For Petitioner : Mr.V.Ajoykhose

For Respondents : Mr.S.Sairaman

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 VI)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Managing Director,
Management of Tamil Nadu State
Transport Corporation (Kovai) Limited,
Coimbatore.
2. The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar Illam, Anna Salai,
Chennai - 600 002.

+1cc to M/s. S. sairaman, Advocate, S.R.No.67662
+1cc to M.s. V. Ajaykhose, Advocate SR.66869

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