

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40749 of 2016

N.Parameswaran

... Petitioner

Vs.

1.The Principal Secretary to Government
Transport Department
Government of Tamil Nadu
Secretariat, Chennai-600 009.

2.The Managing Director
Tamil Nadu State Transport Corporation (Salem) Ltd
No.12, Ramakrishna Road
Salem- 636 007.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus to direct the Respondents to disburse the Petitioner's benefits of Gratuity amounting to Rs.5,08,431/- and Earned leave (EL) Surrender amounting to Rs.65,090/- along with interest @ 18% p.a. for the delay in payment within a time frame fixed by this Honourable Court.

For Petitioner : Mr.J.T.Rajasuriya

For Respondents : Mr.S.N.Parthasarathi
Government Advocate for R1
Mr.R.K.Gandhi for R2

ORDER

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

2. The petitioner joined the services 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. Learned counsel appearing for the petitioner has submitted that the payment of retiral benefits is binding on the respondents and the same cannot be denied by the respondents.

4. I have heard the learned Government Advocate, who has taken notice on behalf of the first respondent and the learned counsel, who has taken notice on behalf of the second respondent.

5. In view of the submissions made by the learned counsel appearing for the petitioner and the learned Government Advocate, appearing for the first respondent and the learned counsel appearing for the second respondent, this Court is of the view that the respondents cannot deny the payment of pensionary benefits due to the petitioner. Hence, the second respondent is directed to pay the retiral benefits due to the petitioner along with interest at the rate of 6% p.a., within a period of eight weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Principal Secretary to Government
Transport Department
Government of Tamil Nadu
Secretariat, Chennai-600 009.

2.The Managing Director
Tamil Nadu State Transport Corporation (Salem) Ltd
No.12, Ramakrishna Road
Salem- 636 007.

+lcc to Mr.J.T.Rajasuriya, Advocate, S.R.No.67300

W.P.No.40749 of 2016

SV(CO)
CA(16/12/2016)