

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.40757 of 2016

Hannah Samuel

... Petitioner

Vs.

1 The Principal Secretary to Government
Transport Department
Fort St.George, Chennai -9

2. The Managing Director
Metropolitan Transport Corporation
(Chennai) Ltd.,
Pallavan Salai
Chennai -2

3. The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar House
Pallavan Salai, Chennai -2

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd and 3rd respondents to disburse the retirement benefits, viz., Earned Leave Surrender Salary Amount of Rs.4,12,440/-, 1998 Settlement Leave Benefit Amount of Rs.1,83,880/-, Pension Commutation Amount of Rs.3,75,355/- IRT Contribution Amount of Rs.4,360/- and Leave on private affairs amount of Rs.77,335/-, the total comes to Rs.10,53,370/- (Rupees Ten Lakhs Fifty Three Thousand Three Hundred and Seventy only) with 18% interest on delayed payment to the petitioner the Senior Superintendent, who has retired from service on 31.1.2015.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.O.Selvam,
Government Advocate for R1
Mr.R.K.Gandhi for R2 & R3

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, 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 respondents 2 and 3.

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 petitioners 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 writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

sbi

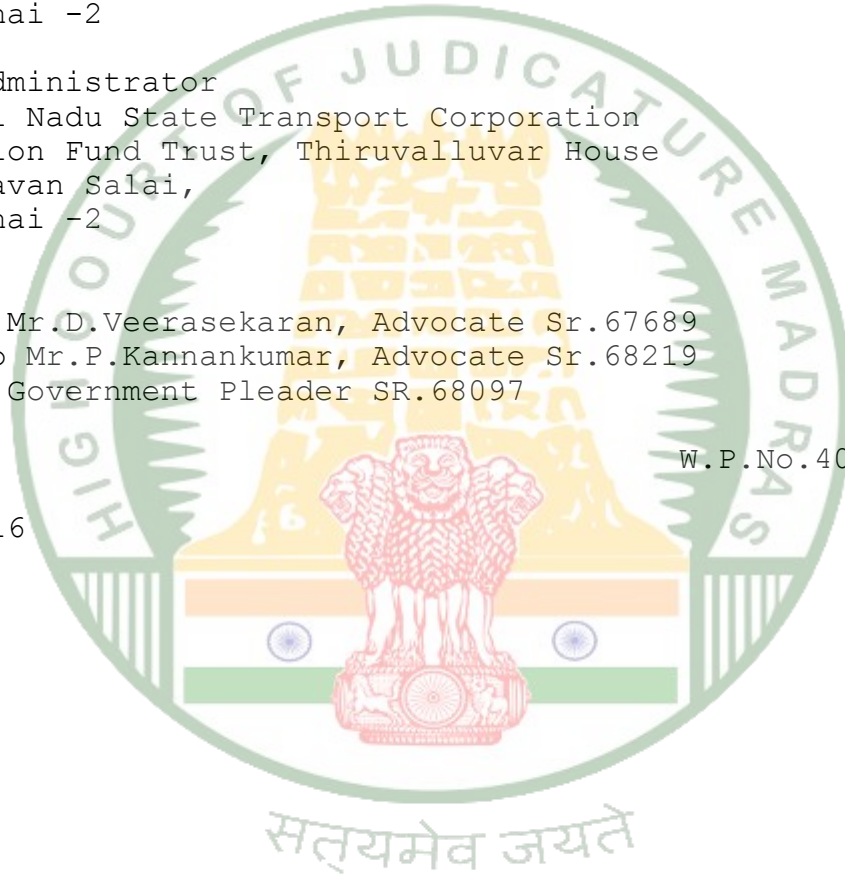
To

- 1 The Principal Secretary to Government
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Pallavan Salai
Chennai -2
3. The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar House
Pallavan Salai,
Chennai -2

+ 1 cc to Mr.D.Veerasekaran, Advocate Sr.67689
+ 3 ccs to Mr.P.Kannankumar, Advocate Sr.68219
+ 1 cc to Government Pleader SR.68097

W.P.No.40757 of 2016

GJ(CO)
Eu 21.12.16



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