

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.4087 of 2016

R.Deenadayalan

.. Petitioner

Vs.

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602.
2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Kancheepuram Region
Kancheepuram 631 552.
3. The Administrator
Tamil Nadu State Transport
Corporation
Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House
Pallavan Salai
Chennai 600 002.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to settle the petitioner's retirement benefits of gratuity and all other attendant retirement benefits etc., with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits including the commutation, gratuity, leave surrenders [EL and ML), EL surrender for the year 2014, DA arrears and refund of Institute of Road transport arrears etc., to the petitioner payable from the date of retirement i.e., 31.07.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Selvam
For Respondents : Mr.S.Sairaman

O R D E R

The petitioner, R.Deenadayalan, who joined the service as a Junior Assistant on 16.04.1985 in the Thanthai Periyar Corporation Ltd., [now Tamil Nadu State Transport Corporation (Villupuram) Ltd., had retired from service on 31.07.2015 on attaining the age of superannuation. At the time of retirement, he was working as a Superintendent in the Kancheepuram Region of the Tamil Nadu State Transport Corporation (Villupuram) Limited. According to the petitioner, though he was retired from service as early as 31.07.2015, till date he was not paid any retirement benefits except for paying the provident fund of Rs.5,88,093/-. Therefore, he submitted a representation before the first and second respondents on 27.01.2016. However, till date, the same has not been considered. Hence, the present writ petition.

2. When the matter is taken up today for hearing, learned counsel appearing for the petitioner brought to the notice of this Court the common judgment dated 12.06.2015 passed by the Madurai Bench of this Court in W.A.(MD) Nos.383 to 457 of 2015 wherein under similar circumstances, the respondent-Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. He would further submit that following the same, this Court in W.P.No.39812 of 2015 dated 17.12.2015 has passed a similar order. Accordingly, he would pray that a similar order may be passed in this writ petition also.

3. Heard the learned counsel for the petitioner and Mr.S.Sairaman, learned counsel appearing for the respondents.

4. Considering the facts and circumstances of the case and following the orders passed by this Court, under similar circumstances, without going into the merits of the matter, the second respondent is directed to consider and dispose of the representation submitted by the petitioner dated 27.01.2016 on merits and in accordance with law, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 dated 12.06.2015, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5. Accordingly, this writ petition is disposed of. No costs.

vj2

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602.

2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Kancheepuram Region
Kancheepuram 631 552.

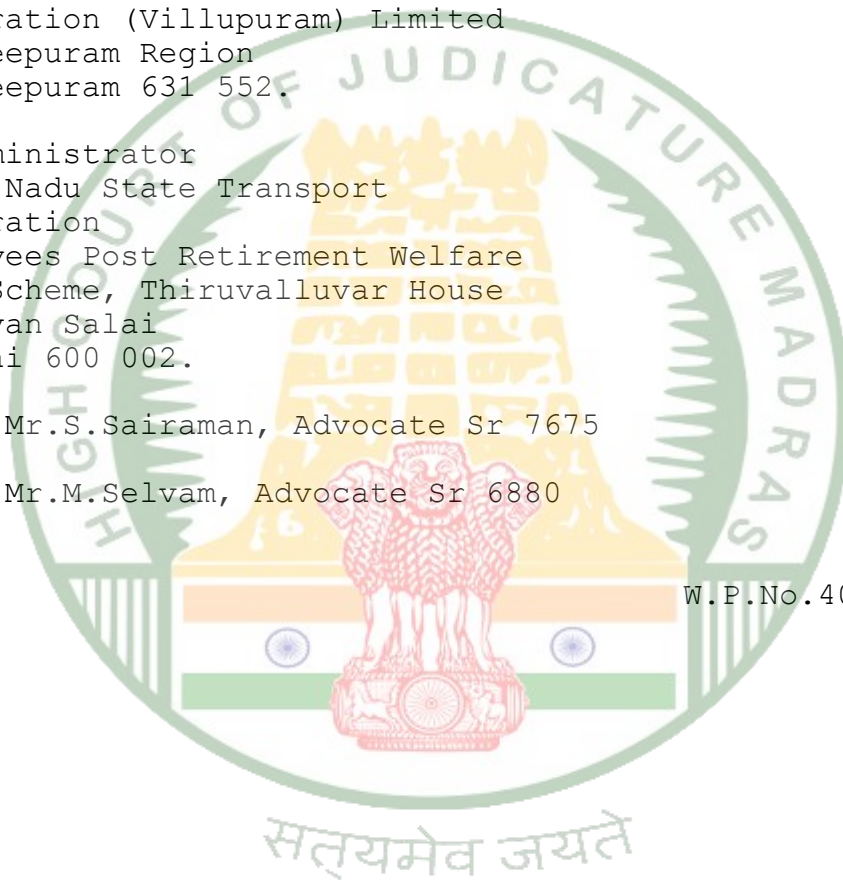
3. The Administrator
Tamil Nadu State Transport
Corporation
Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House
Pallavan Salai
Chennai 600 002.

+ 1 cc to Mr.S.Sairaman, Advocate Sr 7675

+ 1 cc to Mr.M.Selvam, Advocate Sr 6880

KR/5/4/16

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