

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.11.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.40873 of 2016

S.Rajkumar

... Petitioner

Vs.

M/s.Tamil Nadu State Transport Corporation (Kovai) Ltd.,
Rep. by its Managing Director,
No.37, Mettupalayam Road,
Coimbatore - 641 043. ... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to settle the terminal benefits of the petitioner of gratuity amount of Rs.6,56,000/-, Social Security Scheme amount of Rs.60,000/-, Commutation amount of Rs.2,10,000/- and Leave Salary amount of Rs.1,88,765/- altogether a sum of Rs.11,14,765/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 19.10.2016.

For Petitioner : Mr.D.Soundarraaj
For Respondent : Mr.R.K.Gandhi

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the respondent to settle the terminal benefits of the petitioner of gratuity amount of Rs.6,56,000/-, Social Security Scheme amount of Rs.60,000/-, Commutation amount of Rs.2,10,000/- and Leave Salary amount of Rs.1,88,765/- altogether a sum of Rs.11,14,765/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 19.10.2016.

3.It is the case of the petitioner that he joined in the respondent Corporation on 22.11.1982 and retired from service as Superintendent. The petitioner was not paid the retirement benefits like gratuity, Social Security Scheme, Commutation and Leave Salary amount. 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 takes notice for the respondent.

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 respondent is 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

//True Copy//

Sub Assistant Registrar

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To

The Managing Director
Tamil Nadu State Transport Corporation (Kovai) Ltd.,
No.37, Mettupalayam Road,
Coimbatore - 641 043.

+lcc to Mr.D. Soundar, Advocate, S.R.No.67996

ss (CO)
md(23/12/2016)

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