

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.11.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition No.41050 of 2016

1 A.Mani ... Petitioner

Vs.

- 1 Tamilnadu State Transport Corporation (Salem Division-1)
Rep by its Managing Director
No.12, Ramakrishna Road
Salem-7
- 2 Tamilnadu State Transport Corporation
Rep by its Administrator
Head Office, Thiruvalluvar House
Palalvan Salai
Chennai-600 002
- 3 State of Tamil Nadu
Rep by its Secretary
Department of Transport
Fort St. George
Chennai-600 009
- Respondents

Prayer: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents to sanction all the terminal benefits including Pension, Commutation of Pension, ERBS Pension, Gratuity, Provident Fund, Family Welfare Fund, Leave Encashment (Earned Leave and Medical), Arrears of earned leave from 2009 to 2011, Surrender leave wages, Medical leave allowance, Labour Welfare Fund, IRT Share amount, enhanced Dearness Allowance amount and all other retirement benefits with 18% interest.

For Petitioner : Ms.D.Nagasaila
For Respondents : Mr.R.K.Gandhi

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 respondent, 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 and the learned counsel, who has taken notice on behalf of the respondents.

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 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 1.2.2017.

6. With the above direction, the present writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

sbi

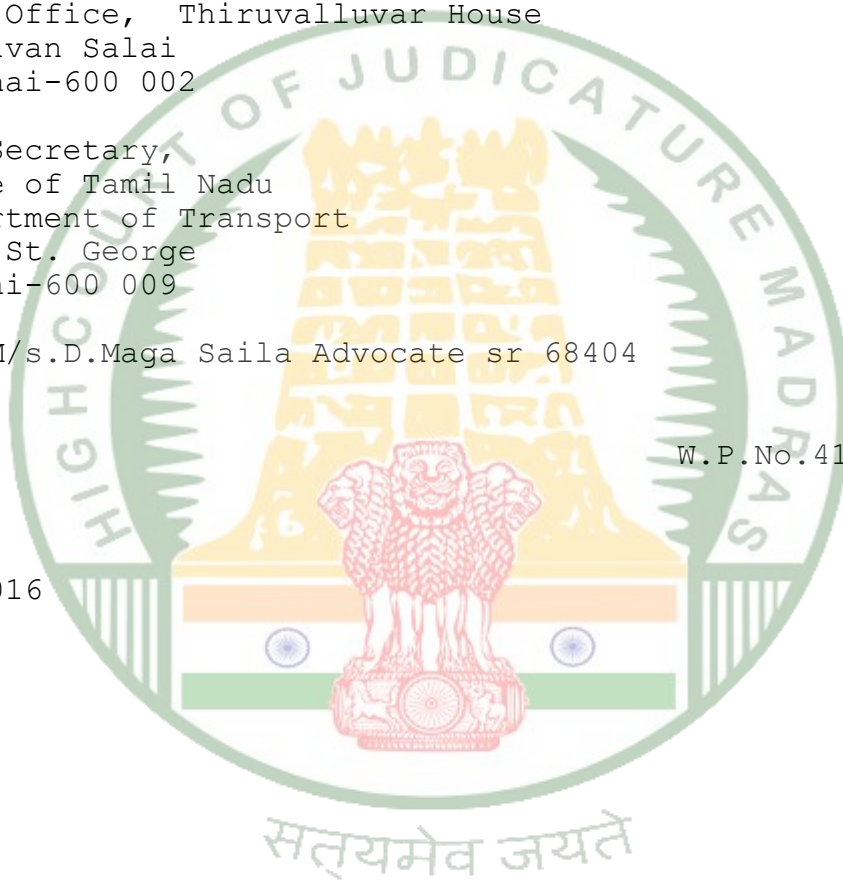
To

- 1 The Managing Director
Tamilnadu State Transport Corporation (Salem Division-1)
No.12, Ramakrishna Road
Salem-7
- 2 The Administrator,
Tamilnadu State Transport Corporation
Head Office, Thiruvalluvar House
Palalvan Salai
Chennai-600 002
- 3 The Secretary,
State of Tamil Nadu
Department of Transport
Fort St. George
Chennai-600 009

+1 cc to M/s.D.Maga Saila Advocate sr 68404

W.P.No.41050 of 2016

aa23/12/2016



WEB COPY