

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 23.11.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition No.41066 of 2016

1 K.S.Sankaran ... Petitioner

Vs.

1 The Government of Tamil Nadu
Rep by its Principal Secretary
Transport Department
Secretariat
Fort St. George
Chennai-600 009

2 The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd
3/137, Salamedu
Valuthareddy Post
Villupuram-605 602

3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai-600 002

.... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondents to settle the petitioner's terminal benefits, namely Gratuity, Encashment of leave salary (E/L), DA arrears, Pension Commutation, Settlement Arrears, Social Welfare Scheme, Subscription amount of Engineering and Medical College and other eligible terminal benefits with 18% interest on delayed payment to the petitioner from 31.10.2016 the date of retirement to till the date of settlement of the terminal benefits to the petitioner in the light of the common order passed in W.A. (MD).Nos. 383 to 457 of 2015 dated 12.06.2015.

For Petitioner : Ms.Vijaya

For Respondents : Mr.O.Selvam,
Govt. Advocate for R1
Mr.P.Kannan Kumar
for R2 and 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 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

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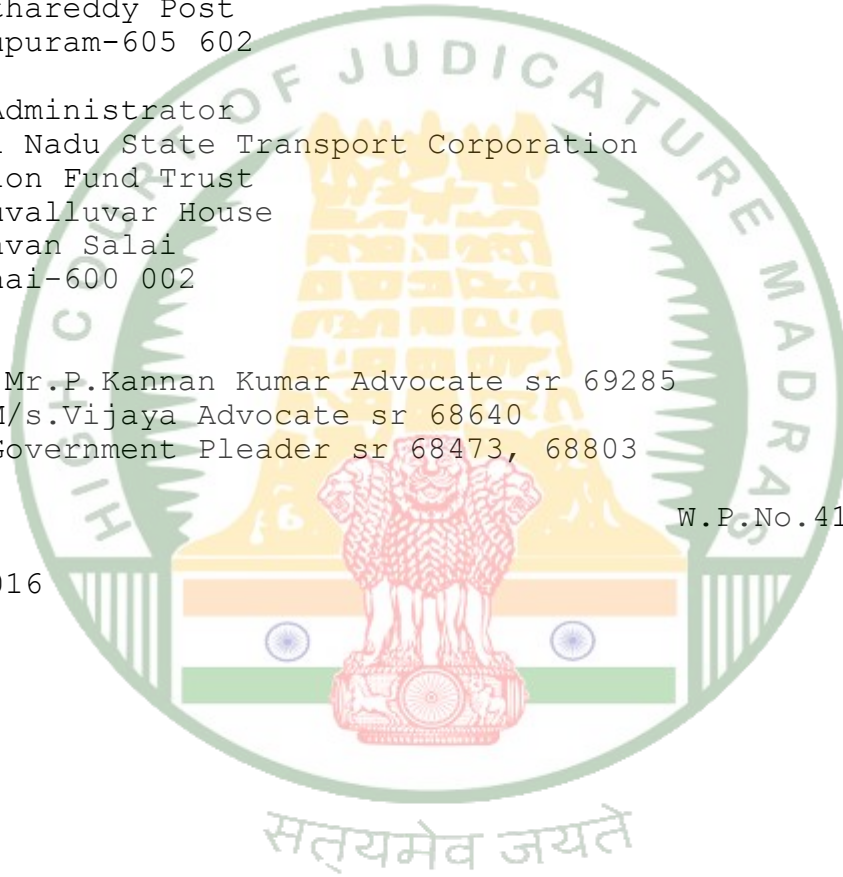
To

- 1 The Principal Secretary
Transport Department
Secretariat
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Chennai-600 009
- 2 The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd
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+2 ccs to Mr.P.Kannan Kumar Advocate sr 69285
+1 cc to M/s.Vijaya Advocate sr 68640
+2 cc to Government Pleader sr 68473, 68803

W.P.No.41066 of 2016

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