

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.41631 of 2016

P.Murugan

... Petitioner

vs.

1.The Government of Tamil Nadu
rep. by its Principal Secretary,
Transport Department,
Secretariat, Fort St. George,
Chennai-9.

2.The Managing Director,
Tamil Nadu State Transport
Corporation
(Villupuram) Ltd.,
No.3/137, Salamedu,
Vazhuthareddy,
Villupuram-605 602.

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 respondents to settle the retirement benefits, including gratuity, Encashment of Leave Salary (E.L.) D.A. Arrears, Pension Commutation, Settlement Arrears, Social Welfare Scheme, Subscription Amount of Engineering and Medical College, Pending in Service Leave Salary, Pending Salary for 10 days, Pension DA Arrears and other eligible terminal benefits with 18% interest on delayed payment to the petitioner from 30.09.2016 the date of retirement 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	:	M/s.T.Fennwalter Associates
For Respondents	:	Mr.O.Selvam, G.A. for R1 Mr.S.Sairaman for R2 and R3

ORDER

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

2. The writ petition has been filed seeking Mandamus directing the respondents to settle the retirement benefits, due to the petitioner, with interest, within the time that may be stipulated by this Court.

3. The petitioner is the retired employee of the respondent Corporation and he was not paid the retirement benefits due to him, fully. Hence, 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 Government Advocate, who has taken notice on behalf of the respondent No.1 and the learned counsel, who has taken notice on behalf of the respondents 2 and 3.

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 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 01.02.2017.

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

Sd/-

ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

To

1.The Principal Secretary,
Government of Tamil Nadu,
Transport Department,
Secretariat, Fort St. George,
Chennai-9.

2.The Managing Director,
Tamil Nadu State Transport
Corporation
(Villupuram) Ltd.,
No.3/137, Salamedu,
Vazhuthareddy,
Villupuram-605 602.

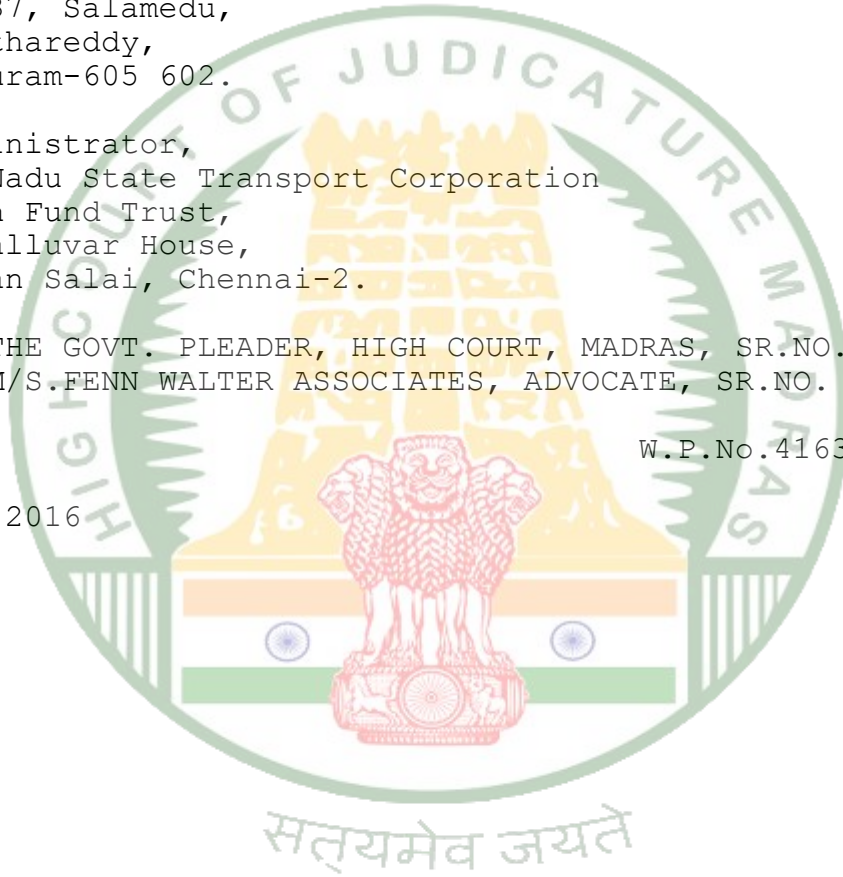
3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-2.

+1 cc to THE GOVT. PLEADER, HIGH COURT, MADRAS, SR.NO. 70101

+1 CC TO M/S.FENN WALTER ASSOCIATES, ADVOCATE, SR.NO. 69514

W.P.No.41631 of 2016

MMP 28.12.2016



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