

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.11.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.41664 of 2016

S.Ramamoorthy

... Petitioner

vs.

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

2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Vengikkal,
Tiruvannamalai Regional,
Tiruvannamalai-606 601.

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, Welfare Fund, Post Retirement Scheme arrears and all other attendant retirement benefits etc. with interest at the rate of 12% for the belated settlement of retirement benefits including the commuted value of pension, gratuity etc. to the petitioner payable from the date of retirement i.e. 30.06.2013 till the date of actual payment within a time that may be stipulated by this Court on par with similar issue decided in W.P. (MD) No.19544/2014 dated 23.07.2015 in issuing direction to the Transport Corporations to settle the terminal benefits of its employees in 12 equal monthly instalments and to pay 6% interest to the terminal benefits payable to the petitioner.

For Petitioner : Mr.K.Narayanan
For Respondent : Mr.P.Kannan Kumar

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 respondent 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 counsel, who has taken notice on behalf of 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 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 Managing Director,
Tamil Nadu State Transport
Corporation
(Villupuram) Ltd.,
No.3/137, Salamedu,
Vazhuthareddy,
Villupuram-605 602.
- 2.The General Manager,
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- 3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-2.

+1 cc TO MR.K.NARAYANAN, ADVOCATE SR.NO.69907
+1 CC TO MR.P. KANNAN KUMAR, ADVOCATE SR.NO. 70640.

W.P.No.41664 of 2016

MMP 28.12.2016

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