

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.42016 of 2016

K.P.T.R.Balasubramaniam,
Driver (Retd.)
Ishwarya Nivas,
Mahadeva Iyer Street,
Muhari Kundru (PO),
Selakarai, Thalapuli (TK),
Tirusur District - 680 586, Kerala. ... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation,
No.37, Mettupalayam Road,
Coimbatore - 43. ... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the representation of the petitioner dated 08.07.2016 forthwith and to disburse the retirement benefits, gratuity, provident fund, earned, unearned leave, welfare fund and all other monetary benefits accrued to the service of the petitioner together with interest in accordance with law within a reasonable time as may be fixed by this Court.

For Petitioner : Mr.K.Muthuganespandian

For Respondent : Mr.P.Kannan Kumar

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 consider the representation of the petitioner dated 08.07.2016 forthwith and to disburse the retirement benefits, gratuity, provident fund, earned, unearned leave, welfare fund and all other monetary benefits accrued to the service of the petitioner together with interest in accordance with law within a reasonable time as may be fixed by this Court.

3.It is the case of the petitioner that he joined in the respondent Corporation as Driver on 29.06.1992 and retired from service on 27.06.2015. The petitioner was not paid the retirement benefits. Hence, the petitioner made a representation dated 08.07.2016 to the respondent requesting to pay the retirement benefits. But, the same was not 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. Heard Mr.K.Muthuganespandian, learned counsel appearing for the petitioner and learned counsel Mr.P.Kannan Kumar, who has taken 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/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

The Managing Director,
Tamil Nadu State Transport Corporation,
No.37, Mettupalayam Road,Coimbatore - 43.

1 cc to M/s.K. Muthuganesapanidan, Advocate, Sr. 70833

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