

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.42361 of 2016

E.Mohanan

... Petitioner

vs.

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai-600 009
 - 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
Ltd Pallavan Salai Chennai-600 002
 - 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 2nd & 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary amount of Rs.83 800/- Leave on private affairs Amount of Rs.62 850 Pension Commutation Amount of Rs.3 30 000/- Difference in Gratuity Amount of Rs.34 000/- and Settlement Arrears amount of Rs.10 800/- the total comes to Rs.5 21 450/- (Rupees Five Lakhs Twenty One Thousand Four Hundred Fifty Only) with 18% interest on delayed payment to the petitioner the Traffic Inspector who has retired from service on 28.02.2014.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.K.Dhananjayan,
Spl. Govt. Pleader, 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 Special Government Pleader, 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.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

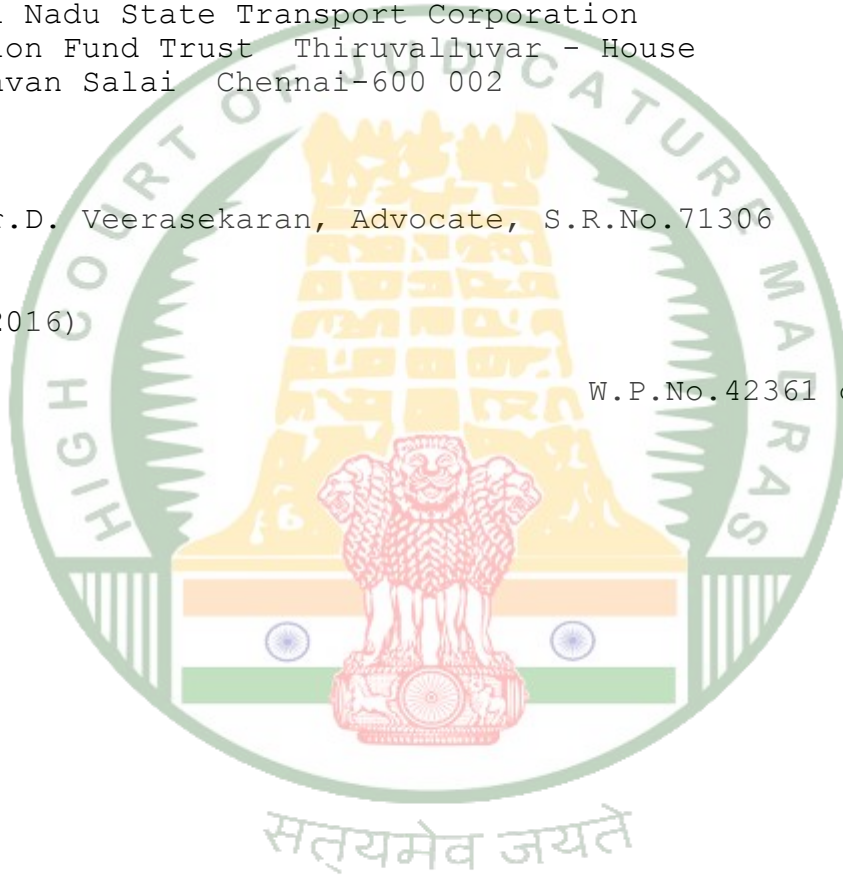
sbi
To

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai-600 009
- 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
Ltd Pallavan Salai Chennai-600 002
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar - House
Pallavan Salai Chennai-600 002

+lcc to Mr.D. Veerasekaran, Advocate, S.R.No.71306

ug(CO)
md(08/12/2016)

W.P.No.42361 of 2016



WEB COPY