

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.42394 of 2016

B.Mahendran

... Petitioner

vs.

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai-600009
- 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
Ltd Pallavan Salai Chennai-600002
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600002.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing 2nd & 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs.1 38 000/- Settlement Arrears Amount of Rs. 36 000/- Pension Commutation Amount of Rs.2 71 000/- IRT Contribution Amount of Rs.4 500/- and Gratuity Difference Amount of Rs.84 500/- the total comes to Rs.5 34 000/- (Rupees Five Lakhs Thirty Four Thousand Only) with 18% interest on delayed payment to the petitioner the Spl. Grade Conductor Staff No.C12922 who has retired from service on 30.04.2014.

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-600009
- 2 The Managing Director
Metropolitan Transport Corporation (Chennai)
Ltd Pallavan Salai Chennai-600002
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600002.

+lcc to Mr.D. Veerasekaran, Advocate, S.R.No.71313

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

W.P.No.42394 of 2016



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