

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.42431 of 2016

Md. Nazeer Ahamed. R

... Petitioner

vs.

- 1 The Government of Tamil Nadu
Rep by Principal Secretary Transport
Department Secretariat Fort St. George
Chennai-600009
 - 2 The Managing Director
Tamil Nadu State Transport Corporation (VPM)
Ltd 3/137 Salamedu Valuthareddy Post
Villupuram- 605 602
 - 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavansalai 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 Respondents to settle the terminal benefits namely Gratuity Pension DA Arrears Social Security scheme Encashment of Leave Salary (EL) Encashment of leave salary (ML-98) Settlement Arrears Subscription amount of Engineering and Medical College Pension arrears Retirement Benefits scheme and other eligible terminal benefits with 18% interest on delayed payment to the petitioner from 31.05.2015 the date of retirement to 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.Vijaya and Anandh

For Respondents : Mr.K.Dhananjayan,
Spl. Govt. Pleader, for R1
Mr.S.Sairaman, for R2 and 3

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/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

sbi

To

- 1 The Principal Secretary Transport
Department Secretariat Fort St. George
Chennai-600009
- 2 The Managing Director
Tamil Nadu State Transport Corporation (VPM)
Ltd 3/137 Salamedu Valuthareddy Post
Villupuram- 605 602
- 3 The Administrator
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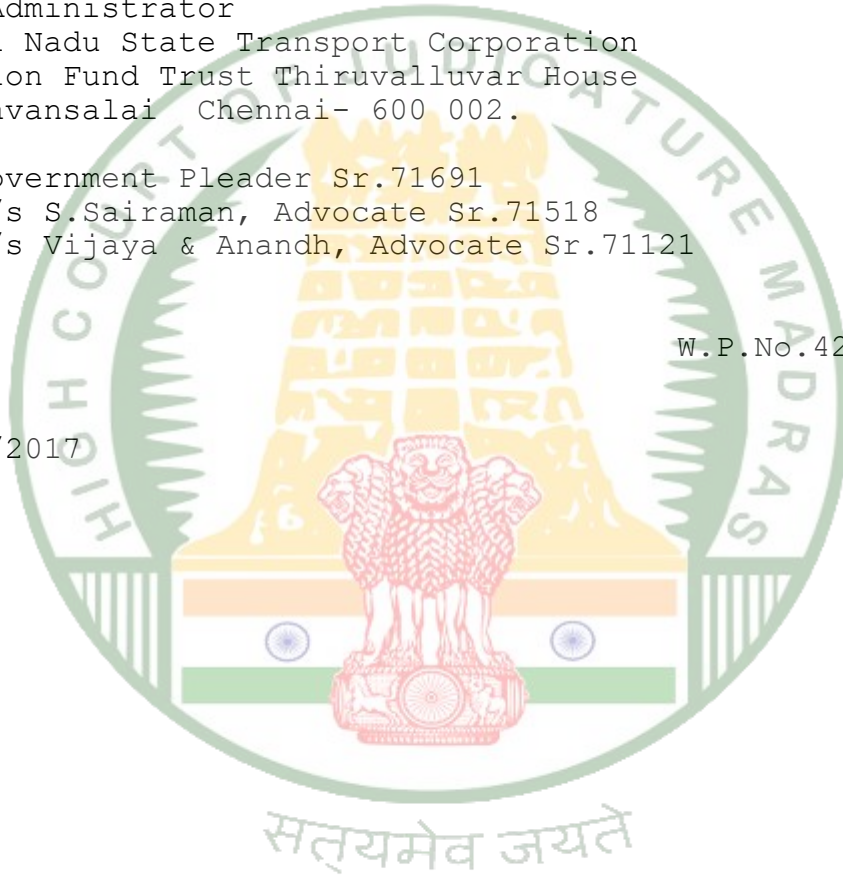
+1cc to Government Pleader Sr.71691

+1cc to M/s S.Sairaman, Advocate Sr.71518

+1cc to M/s Vijaya & Anandh, Advocate Sr.71121

W.P.No.42431 of 2016

AK(CO)
RVR 20/01/2017



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