

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.4277 of 2016

G.Sampathkumar

.. Petitioner

vs

1. The Secretary to Government
Transport Department
Fort St.George, Secretariat
Chennai 600 009.

2. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602.

3. The Administrator
Tamil Nadu State Transport
Corporation
Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House
Pallavan Salai
Chennai 600 002.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to settle the petitioner's retirement benefits including leave salary, gratuity, Dearness Allowance arrears and all other attendant retirement benefits etc., with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits such as gratuity, leave surrenders, DA arrears and refund of Institute of Road transport arrears etc., to the petitioner payable from the date of retirement i.e., 31.05.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.S.Sairaman

O R D E R

The petitioner, G.Sampathkumar, joined the service of Pallavan Transport Corporation, District Wing at Central Depot, Chennai-2 as Junior Engineer and subsequently was transferred to Pattukottai Alagiri Transport Corporation, Vellore and thereafter to Tamil Nadu State Transport Corporation (Villupuram) Ltd., and had retired from service on 31.05.2013 on attaining the age of superannuation. At the time of retirement, he was working as a Assistant Manager (Civil) in Head Quarters in the Kancheepuram Region of the Tamil Nadu State Transport Corporation (Villupuram) Limited. According to the petitioner, though he was retired from service as early as 31.05.2013, till date he was not paid any retirement benefits except for paying the provident fund amount of Rs.32,000/-. Therefore, he submitted a representation before the first and second respondents on 29.01.2016. However, till date, the same has not been considered. Hence, the present writ petition.

2. When the matter is taken up today for hearing, learned counsel appearing for the petitioner brought to the notice of this Court the common judgment dated 12.06.2015 passed by the Madurai Bench of this Court in W.A.(MD) Nos.383 to 457 of 2015 wherein under similar circumstances, the respondent-Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. He would further submit that following the same, this Court has passed similar orders in several writ petitions. Accordingly, he would pray that a similar order may be passed in this writ petition also.

3. Heard the learned counsel for the petitioner and Mr.S.Sairaman, learned counsel appearing for the respondents.

4. Considering the facts and circumstances of the case and in view of the earlier orders passed by this Court in similar circumstances, without going into the merits of the matter, the respondents 1 and 2 are directed to consider and dispose of the representation submitted by the petitioner dated 29.01.2016 on merits and in accordance with law, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 dated 12.06.2015, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5. Accordingly, this writ petition is disposed of. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

vj2

To

1. The Secretary to Government
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Chennai 600 009.
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Fund Scheme, Thiruvalluvar House
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+1 cc to M/s.M.Selvam, Advocate sr.7283

+1 cc to M/s.S.Sairaman Advocate sr.7615

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