

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.4301 of 2016

D.Manoharan

.. Petitioner

Vs.

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

2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vellore Region
Vellore 632 009.

... 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 disburse the payments relating to gratuity and leave encashment by calculating DA eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.06.2013 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.P.Paramasivadosh

सत्यमेव जयते
O R D E R

The petitioner, D.Manoharan who joined the services of the Tamil Nadu State Transport Corporation (Villupuram) Ltd., Vellore Region as Junior Assistant retired from service on 31.05.2013. At the time of retirement, he was working as Superintendent in the Regional Office of the second respondent corporation. According to the petitioner, though he was retired from service on 31.05.2013 till date he was not paid with any other retirement benefits, viz., Gratuity and Leave Surrender [Earned Leave and Medical Leave] except for paying the provident fund amount of Rs.93,800/- only. Therefore, he submitted a representation before the first and second respondents on

06.01.2016. 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.P.Paramasivadosh, learned counsel, who took notice on behalf of 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 disburse the aforementioned retiral benefits to the petitioner 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 dated 12.06.2015. It is also made clear that the first instalment shall commence from 01.03.2016.

5. With the above direction, this writ petition is disposed of. No costs.
vj2

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Managing Director, Tamil Nadu State Transport Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602.
2. The General Manager, Tamil Nadu State Transport Corporation(Villupuram) Limited
Vellore Region, Vellore 632 009.

+ 1 cc to Mr.J.Pradeep, Advocate Sr 7379 (18/3/16)

KR/16/3/16

W.P.No.4301 of 2016