

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.4303 of 2016

M.Arumugasamy

.. 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 by calculating DA eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.01.2013 within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.P.Paramasivadoss

O R D E R

The petitioner, M.Arumugasamy who joined the services of the erstwhile Thanthai Periyar Transport Corporation Ltd., Villupuram now amalgamated with Tamil Nadu State Transport Corporation (Villupuram) Ltd., Vellore as Conductor retired from service on 31.12.2012. At the time of retirement, he was working as Checking Inspector in the Konavattam Depot of the second respondent corporation. According to the petitioner, though he was retired from service on 31.12.2012 till date he was not paid with the retirement benefit of Gratuity except for paying the provident fund and commutation amount. Therefore, he submitted a representation before the first and second respondents on 11.01.2015. 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 7384 (18/3/16)

KR/16/3/16

W.P.No.4303 of 2016