

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:09.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.4510 of 2016

V.Kuppusamy

.. Petitioner

vs

The Tamil Nadu State Transport Corporation, Salem Division rep.by its Managing Director Salem.

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to disburse petitioner's terminal benefits, viz., leave encashment salary along with interest till the final payment in view of his retirement dated 30.06.2011 as Superintendent in the office of the respondent.

For Petitioner : Mr.G.K.Ilanthirayan
for M/s.Sai, Bharath and Ilan

For Respondent : Mr.P.Paramasivadoss

O R D E R

The petitioner, V.Kuppusamy joined the services of the erstwhile Anna Transport Corporation as Junior Assistant was subsequently transferred to the respondent Tamil Nadu State Transport Corporation in its Salem Division and retired as Superintendent on attaining the age of superannuation on 30.06.2011. According to the petitioner, though he was retired from service on 30.06.2011, till date he was not paid with Leave salary for Surrender of Earned Leave and Medical Leave though he was paid with all other retirement benefits, viz., Provident Fund, Gratuity and Commutation of pension amount. Therefore, he submitted a representation before the respondent on 02.01.2014 and 04.02.2015. 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 respondent.

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 respondent is 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.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vj2

To

The Managing Director
Tamil Nadu State Transport
Corporation, Salem.

+1 cc to M/s.Si Bharath & Ilan, Advocates, sr.8556

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mp co
kra 09.03.2016