

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.02.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.4531 of 2016

K.Manoharan

... Petitioner

Vs.

The Managing Director,  
Tamil Nadu State Transport  
Corporation (Salem) Ltd.,  
12, Ramakrishna Road,  
Salem-636 007.

... Respondent

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the respondent herein to pay the entire retirement benefits such as gratuity, leave surrender pay provident fund (Management Share), IRT share etc. with interest at 18% per annum from the date of retirement till the date of payment to the petitioner.

For Petitioner : Mr.S.Balaji

For Respondent : Mr.P.Paramasivadoss

O R D E R

This Writ Petition has been filed by the petitioner seeking a Writ of Mandamus, directing the the respondent herein to pay the entire retirement benefits such as gratuity, leave surrender pay provident fund (Management Share), IRT share etc. with interest at 18% per annum from the date of retirement till the date of payment to him.

2.Heard Mr.S.Balaji, learned counsel for the petitioner. Mr.P.Paramasivadoss, learned Standing counsel takes notice on behalf of the respondent.

3.The petitioner joined the respondent Corporation as Driver on 10.02.1985 and he retired from service on attaining the age of superannuation on 31.12.2012. On his retirement, he received only half of his retirement benefits and yet to receive gratuity, provident fund (Management share), leave surrender pay, IRT share etc. For receiving the said

benefits, the petitioner made several oral representations but there was no response. Hence, he made a written representation dated 12.12.2015 to the respondent as well as to the Secretary to Government, State of Tamil Nadu, Transport Department, Secretariat, Chennai. As the same has not been considered till date by the respondent, the petitioner has come forward with this present writ petition.

4.This Court, taking into consideration the above facts and circumstances and without going into the merits of the case, directs the respondent to consider and dispose of the petitioner's representation dated 12.12.2015 on merits and in accordance with law and also after taking note of the common judgment dated 12.06.2015 made in W.A.(MD).Nos.383 to 457 of 2015, pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

DP

To

The Managing Director,  
Tamil Nadu State Transport  
Corporation (Salem) Ltd.,  
12, Ramakrishna Road,  
Salem-636 007.

+1cc to Mr.S.Balaji, Advocate, S.R.No.8012  
+1cc to Mr.P.Paramasivadosh, Advocate, S.R.No.8709

W.P.No.4531 of 2016

RSY(CO)  
CA(08/03/2016)