

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.02.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.4941 of 2016

R.Ayyasamy

... Petitioner

-Vs-

M/s State Express Transport Corporation
rep.by its Managing Director
Pallavan Salai
Chennai 600 002

... Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to settle the petitioner's terminal benefits like Provident Fund, earned leave salary, E.E.C., and E.M.C., etc., refund and social security scheme amount altogether a sum of Rs.2,55,500/- with interest at the rate of 12% per annum.

For Petitioner : Mr.D.Soundarraja

For Respondent : Mr.P.Paramasivadosh

ORDER

Mr.R.Ayyasamy has filed this writ petition for issuance of a writ of mandamus directing the respondent to settle the petitioner's terminal benefits like provident fund, earned leave salary, E.E.C., and E.M.C., etc., refund and social security scheme amount, altogether a sum of Rs.3,55,500/- with interest at the rate of 12% per annum.

2. Heard the learned counsel for the petitioner. Mr.P.Paramasivadosh, learned counsel takes notice on behalf of the respondent.

3. The petitioner was appointed as Driver on 26.10.84 in the State Express Transport Corporation Limited. Subsequently, he was promoted as Senior Driver and after putting in 29 years of unblemished service, he retired from service on 31.8.2013 as Selection Grade Senior Driver. Now the grievance of the petitioner is that his terminal benefits, namely, provident fund, earned leave salary, medical leave surrender, E.E.C. &

E.M.C., etc., refund and social security scheme amount, altogether a sum of Rs.3,55,500/- has not been settled to him. In this regard, he has also submitted a representation to the respondent for early disbursement.

4. Since the issue is squarely covered by the various orders passed by this Court, in the light of the Hon'ble Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 (K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited represented by its Managing Director, Madurai and others), this writ petition is disposed of with a direction to the respondent to settle the entire terminal benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from March, 2016 and each of the instalments should be paid on or before 7th of each month. In case of any delay in the payment of the instalments, the interest payable would become 18% p.a. for the delayed period apart from any other remedy which may be available to the petitioner for such non-payment of the instalments. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

The Managing Director
State Express Transport Corporation Limited
Pallavan Salai
Chennai 600 002.

+1cc to Mr.D.Soundarraaj, Advocate, S.R.No.9223

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SAI (CO)
CA(07/03/2016)