

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.5395 of 2016

P.Mani
S/o.K.Perumal

.. Petitioner

Versus

1.The Government of Tamil Nadu
represented by
Principal Secretary to Government,
Transport Department,
Fort St.George,
Chennai - 600 009.

2.The Managing Director,
Tamil Nadu State Transport
Corporation (VPM) Ltd.,
3/137, Salamedu,
Valuthareddy - Post,
Villupuram - 605 602.

3.The Administrator,
The Tamil Nadu State Transport
Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 and 3 to disburse the retirement benefits of gratuity amount for a sum of Rs.4,96,892/- earned leave surrender salary for a sum of Rs.2,31,848/- and pension commutation amount for a sum of Rs.2,40,281/- and pension arrear amount Rs.18,803/- totally comes to Rs.9,87,824/- (Rupees Nine Lakhs eighty seven thousand eight hundred and twenty four only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.03.2014 as Special Grade (Driver) in the second respondent's office.

For Petitioner : Mr.D.Veerasekaran

For Respondents: Mr.K.J.Sivakumar,
Government Advocate [R1]
Mr.P.Kannan Kumar [R2 & R3]

O R D E R

The petitioner has filed this writ petition for issuance of a writ of mandamus directing the respondents 2 and 3 to settle all the retirement benefits due and payable to the petitioner with interest at 18% per annum with effect from 31.03.2014 within the time stipulated by this Court.

2. Heard the learned counsel for the petitioner. Mr.K.J.Sivakumar, the learned Government Advocate, takes notice for the first respondent and Mr.P.Kannan Kumar, the learned counsel, takes notice for respondents 2 and 3.

3. Mr.P.Mani, the petitioner herein, was appointed as Driver-Trainee at Thanthai Periyar Transport Corporation under Government of Tamil Nadu undertaking on 22.08.1986 and subsequently promoted as Special Grade Driver on 01.12.2008. After completion of 28 years of service, the petitioner retired from service on 31.03.2014. Now, the grievance of the petitioner is that only the provident fund amount has been paid to the petitioner and the other terminal benefits have not been settled. Hence, the petitioner has approached this Court by filing this writ petition.

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 petitioner to give a representation to the respondents mentioning clearly the terminal benefits payable to him along with a copy of this order within a week from the date of receipt of a copy of this order and on receipt of the same, the respondents are directed to consider the same in the light of the order passed by this Court in the aforesaid cases and settle all the terminal benefits payable to the petitioner within a period of four weeks thereafter. No costs.

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Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu
Transport Department,
Fort St.George,
Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/137, Salamedu,
Valuthareddy - Post,
Villupuram - 605 602.
- 3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund
Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.D. Veerasekaran, Advocate, S.R.No.21475
+1cc to Mr. Paramasivadosh, Advocate, S.R.No.22339
+1cc to the Government Pleader, S.R.No.21748

GJ(CO)
EU(27/04/2016

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सत्यमेव जयते

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