

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.02.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.5587 of 2016

R.Dharman

... Petitioner

Vs

1. The Government of Tamil Nadu
rep. by Principal Secretary to Government
Transport Department,
Fort St.George, Secretariat
Chennai 600 009.
2. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
3/137 Salamedu, Vazhuthareddy Post,
Villupuram 605 602.
3. The Administrator
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 for the issuance of a writ of mandamus directing respondents 2 and 3 to disburse the retirement benefits of gratuity for a sum of Rs.5,96,034/- earned leave surrender salary for a sum of Rs.3,51,446/- and pension commutation amount for a sum of Rs.2,93,018/- totally comes to Rs.12,40,498/- (Rupees Twelve lakhs forty thousand four hundred and ninety eight only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.01.2014 as Superintendent in the second respondent's office.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.P.Kannan Kumar

O R D E R

The petitioner, R.Dharman, joined the service of Thanthai Periyar Transport Corporation as Junior Assistant and his service was regularised on 01.04.1986. Further he was upgraded as Selection grade Assistant on 01.08.2009 and promoted as Superintendent on 26.10.2009 and he had retired from service on 31.01.2014 on attaining the age of superannuation.

2.The grievance of the petitioner is that though he was retired from service on 31.01.2014, he was paid only a sum of Rs.2,79,484/- and the other terminal benefits payable by the Corporation are not settled till date. Hence, the present writ petition.

3.When the matter is taken up today for hearing, learned counsel appearing for the petitioner brought to the notice of this Court to 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.

4.Heard the learned counsel for the petitioner and Mr.P.Kannan Kumar, learned counsel appearing for the respondents.

5.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 2 and 3 are directed to pass orders on merits and in accordance with law, 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, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vga

To

1. The Principal Secretary to Government
Government of Tamil Nadu
Transport Department,
Fort St.George, Secretariat
Chennai 600 009.
2. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
3/137 Salamedu, Vazhuthareddy Post,
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Corporation Pension Fund Trust,
Thiruvalluvar House
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Chennai 600 002.

+1cc to Mr.D.Veerasekaran, Advocate, S.R.No.10332
+2cc's to Mr.P.Kannan Kumar, Advocate, S.R.No.9650
+1cc to the Government Pleader, S.R.No.10200

W.P.No.5587 of 2016

KJI (CO)
CA(14/03/2016)

सत्यमेव जयते

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