

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.02.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.5877 of 2016

V.Balasubramanian

.. Petitioner

Vs

- 1 The Government of Tamilnadu
rep. by Principal Secretary to Government
Transport Department Fort St. George
Chennai-9
- 2 The Managing Director
Tamilnadu State Transport Corporation
(KUM) Ltd. 27 New Railway Station Road
Kumbakonam
- 3 The Administrator
The Tamilnadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar House
Pallavan Salai, Chennai-2 .. Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the 2nd & 3rd respondents to disburse the retirement benefits of gratuity for a sum of Rs.10,00,000/- earned leave salary for a sum of Rs.8,50,000/-, encashment of Leave on Private Affairs for a sum of Rs.1,50,000/- and pension commutation amount for a sum of Rs.8,00,000/- totally comes to Rs.28,00,000/- (Rupees Twenty Eight Lakhs) with 18% interest on delayed payment to the petitioner who is retired from service on 30.4.2015 as Manager (Accounts) in the 2nd respondents office and the same claimed through the representation dated 03.10.2015.

For petitioner : Mr.D.Veerasekaran

For R1 : Mr.S.Gunaseakran

For R2 and R3 : Mr.P.Kannan Kumar

O R D E R

This writ petition has been filed by V.Balasubramanian, seeking writ of mandamus directing the respondents to consider his representation dated 03.10.2015.

2. Heard Mr.D.Veerasekaran, learned counsel for the petitioner, S.Gunasekaran, learned Government Advocate, took notice for the first respondent and Mr.P.Kannan Kumar, learned counsel, took notice for the respondents 2 and 3 and with their consent, the main writ petition itself is taken up for disposal.

3. The petitioner joined in the service of Cholan Roadways Corporation Limited subsequently, renamed as Tamil Nadu State Transport Corporation (Kumbakonam) Ltd., as Assistant Manager on 16.2.1987 and retired as Manager (Accounts) on 30.4.2015, after attaining the age of superannuation. The grievance of the petitioner is that, after his retirement, till date the first respondent has not disbursed the Gratuity, Earned Leave Salary, Pension Commutation and Encashment of leave on Private affairs, for which the petitioner has also sent a representation dated 03.10.2015. However, till date the same has not been considered by the respondents.

4. This Court, without going into the merits of the writ petition, considering the limited prayer sought for by the petitioner, directs the second respondent to consider and pass orders on the pending representation dated 03.10.2015, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

5. The writ petition is disposed of with the above directions. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Principal Secretary to Government
Transport Department Fort St. George
Chennai-9

2 The Managing Director
Tamilnadu State Transport Corporation
(KUM) Ltd. 27 New Railway Station Road
Kumbakonam

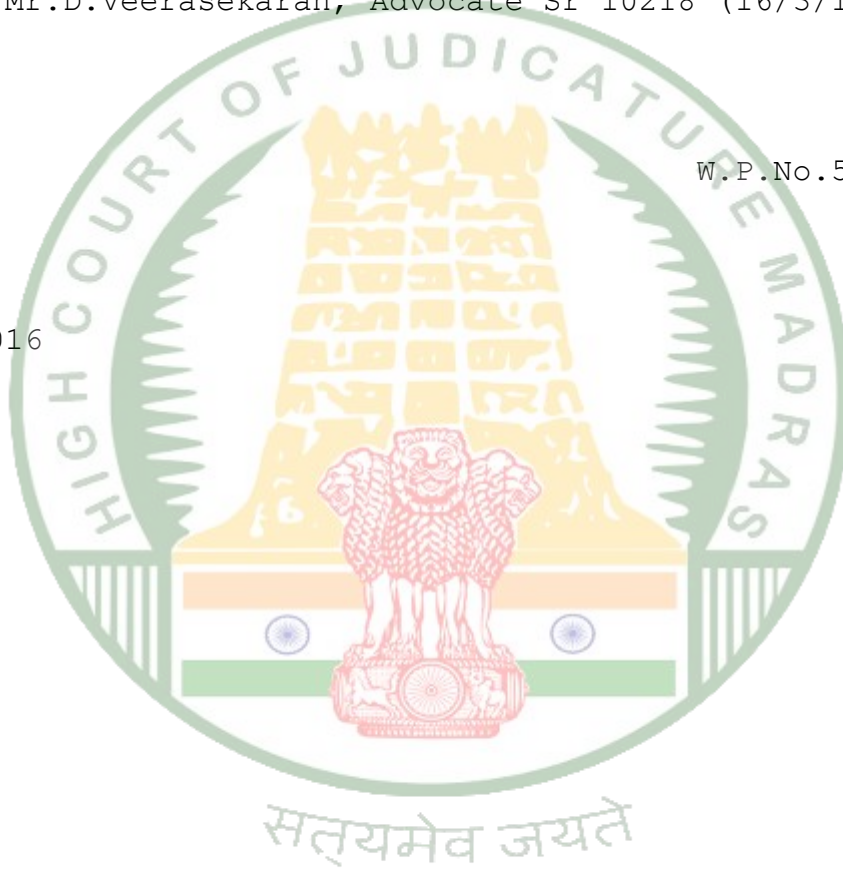
3 The Administrator
The Tamilnadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar House
Pallavan Salai, Chennai-2

+1 cc to Government Pleader sr.10565

+ 1 cc to Mr.D.Veerasekaran, Advocate Sr 10218 (16/3/16)

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