

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:02.03.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.7695 of 2016

M.V.Mallikarjunan

.. Petitioner

Vs.

- 1.The Government of Tamil Nadu,
rep. by its Principal Secretary,
Transport Department,
Secretariat, Fort St. George,
Chennai-600 009.
- 2.State Express Transport
Corporation Ltd.,
(Old name Thiruvalluvar
Transport Corporation Ltd.)
rep. by its Managing Director,
Pallavan Salai,
Chennai-600 002.
- 3.The Financial Advisor and
Chief Accounts Officer,
Tamil Nadu State Transport
Corporation (VPM) Ltd.,
3/137, Salamedu, Valuthareddy - Post,
Villupuram - 605 602.
- 4.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 the respondents 2 to 4 to settle the petitioner's retirement benefits such as encashment of leave salary with leave on private affairs, EPF amount, Social Welfare Fund, Engineering and Medical College amount, difference in gratuity amount and commutation of pension amount with 18% interest on delayed payment to the petitioner from 31.03.2015, the date of retirement to till the date of settlement of the terminal

benefits to the petitioner by following the order passed in W.A. (MD) Nos.383 to 457 of 2015 dated 12.06.2015.

For Petitioner : Mr.V.S.Jagadeesan

For Respondents : Mr.P. Chinnadurai,
Government Advocate for R1

Mr.P.Kannan Kumar
for R2 to R4

O R D E R

The petitioner, M.V.Mallikarjunan, joined the service of State Express Transport Corporation Ltd. as Junior Assistant on 01.01.1988 and he was allowed to retire from service on 31.03.2015 on attaining the age of superannuation.

2.The grievance of the petitioner is that though he was retired from service on 31.03.2015, till date he was not paid terminal benefits. Therefore, he submitted a representation before the respondent on 06.11.2015. However, till date, the same has not been considered. 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 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 appearing for the petitioner, Mr.P.Chinnadurai, learned Government Advocate appearing for R1 and Mr.P.Kannan Kumar, learned Standing Counsel appearing for R2 to R4.

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 1 and 2 are directed to consider and dispose of the representation submitted by the petitioner dated 06.11.2015 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.

vga

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Principal Secretary,
The Government of Tamil Nadu,
Transport Department,
Secretariat, Fort St. George,
Chennai-600 009.
2. The Managing Director,
State Express Transport Corporation Ltd.,
(Old name Thiruvalluvar Transport Corporation Ltd.)
Pallavan Salai, Chennai-600 002.
3. The Financial Advisor and Chief Accounts Officer,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/137, Salamedu, Valuthareddy - Post,
Villupuram - 605 602.
4. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-600 002.

+ 1 cc to Mr.V.S.Jagadeesan, Advocate Sr 13184

+ 2 ccs to Mr.P.Kannan Kumar, Advocate Sr 14221

+ 1 cc to The Govt.Pleader, Sr 13761

KR/11/4/16

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