

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7822 of 2016

V.Ramasamy

..Petitioner

-Vs-

1. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited
No.12, Ramakrishna Road
Salem 636 007
2. The Administrator
Tamil Nadu State Transport Corporation
(Salem) Limited
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002

...Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 30.06.2014 within the time stipulated by this Hon'ble Court.

For Petitioner ::Mr.A.Selvaraju

For Respondents ::Mr.P.Kannan Kumar

ORDER

Mr.V.Ramasamy has filed this writ petition for issuance of a writ of mandamus directing the respondents to settle all the terminal benefits due and payable to him including gratuity, commutation, surrender leave salary, dearness allowance arrears, pension arrears, etc., with interest at the rate of 12% per annum payable from the date of retirement, within the time that may be stipulated by this Hon'ble Court.

2. Heard the learned counsel for the petitioner. Mr.P.Kannan Kumar, learned counsel takes notice on behalf of the respondents.

3. The petitioner joined as Record Clerk on 24.8.85 in the respondent Transport Corporation and retired as Selection Grade Assistant on 30.6.2014, on reaching the age of superannuation.

Now the grievance of the petitioner is that the terminal benefits, namely, gratuity, commutation, surrender leave salary, dearness allowance arrears, pension arrears, etc., have not been settled till date by the respondents to him.

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 respondents to settle the entire terminal benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% per annum. The instalments should commence from April, 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.

ss

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited
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Salem 636 007
2. The Administrator
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Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002

+2 ccs to Mr.P.Kannan Kumar, Advocate Sr 14220

+ 1 cc to Mr.A.Selvaraju, Advocate Sr 13304

KR/18/3/16

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