

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.7866 of 2016

M.Sheik Akbar Sahib

... Petitioner

Vs

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem - 636 007.

... Respondent

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to pay the retirement benefits such as gratuity, earned leave salary, commutation and other benefits payable to the petitioner with interest at the rate of 18% from 31.10.2014, the date of retirement.

For Petitioner : Mr.T.Jeevanantham

For Respondent : Mr.P.Kannankumar

O R D E R

The petitioner, ***M.Sheik Akbar Sahib** joined the service of Tamil Nadu State Transport Corporation (Salem) Ltd. as Trainee Conductor on 10.01.1983 and he was allowed to retire from service on 31.10.2014 on attaining the age of superannuation.

2.The grievance of the petitioner is that though he was retired from service on 31.10.2014, till date he was not paid terminal benefits. Therefore, he submitted a representation before the respondent on 23.02.2016. 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 and Mr.P.Kannankumar, learned counsel appearing for the respondent.

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 respondent is directed to consider and dispose of the representation submitted by the petitioner dated 23.02.2016 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(CS VII)

Dated:14/03/2016

*Corrected as per Order
of this Court Dated 13.4.2015
made in W.P.No.7866 of 2016

Sd/-

Assistant Registrar (CS-VII)

Dated:28/04/2016

//True Copy//

Sub Assistant Registrar

vga

To

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
12, Ramakrishna Salai,
Salem - 636 007.

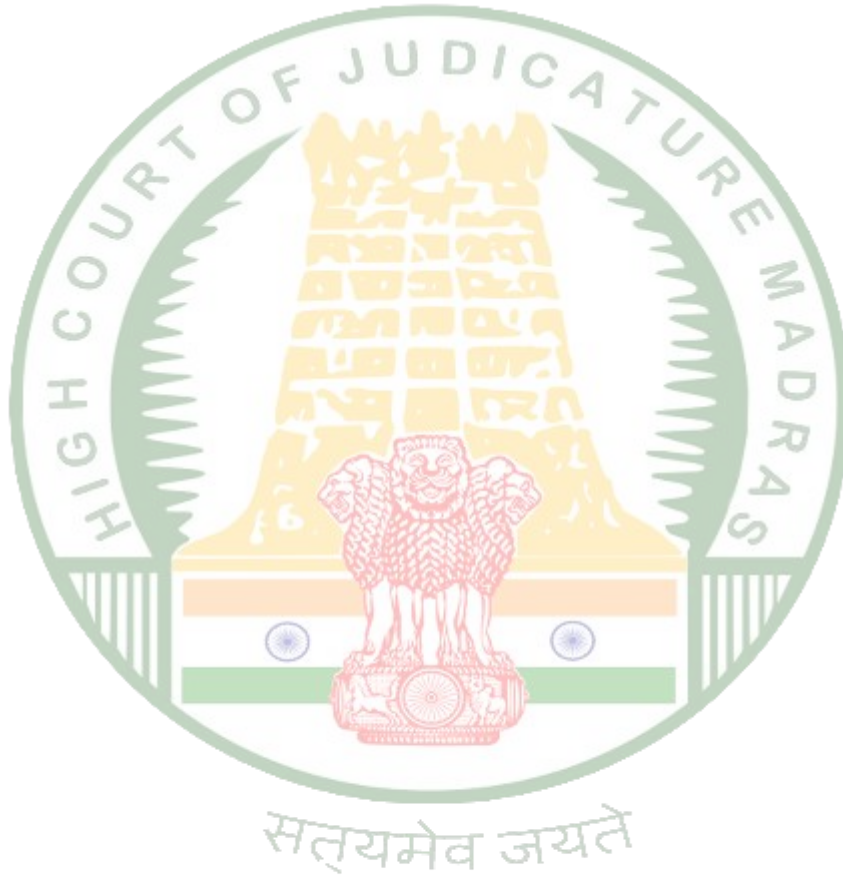
To be substituted for the
Order already despatched
on 30/3/2016.

+1cc to Mr.T.Jeevanantham, Advocate, S.R.No.23692

W.P.No.7866 of 2016

SVI (CO)
CA(17/03/2016)

srg 28/04/2016



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