

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.787 of 2016

R.J.Balu

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram)
Limited, Vazhuthareddy,
Villupuram 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram)
Limited, Kancheepuram Region,
Kancheepuram.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to settle the petitioner's retirement benefits including leave salary, gratuity, dearness allowance arrears and all other attendant retirement benefits etc. with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12 per annum for the belated settlement of retirement benefits including the commuted value of pension, social security scheme arrears, provident fund, refund of Institute of road transport arrears etc. to the petitioner payable from the date of retirement i.e., 31.05.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this court.

For Petitioner : Mr.T.Pappaiah Dharmarajan

For Respondents : Mr.S.Saikannan

O R D E R

By consent, this writ petition is taken up for final disposal.

2.The petitioner has filed this writ petition seeking a direction to the respondents to settle his retirement benefits including leave salary, gratuity, dearness allowance arrears and all other attendant benefits etc. with interest at 12% per annum and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits including the commuted value of pension, social security scheme arrears, provident fund, refund of Institute of road transport arrears etc. from the date of retirement i.e., 31.05.2013 to till the date of actual payment to the petitioner within the time stipulated by this court.

3.According to the petitioner, he joined as Conductor in the Tamil Nadu State Transport Corporation (Villupuram) Limited on 01.12.1983 and retired from service on 31.05.2013 on attaining the age of superannuation. At the time of retirement, he was paid a sum of Rs.1,65,000/- towards provident fund, but he was not paid other retirement benefits. Therefore, the petitioner made a representation dated 28.12.2015 to the first respondent. Since, the same was not considered, the present writ petition came to be filed.

4.Learned counsel for the petitioner has drawn the attention of this Court to a common judgement dated 12.06.2015 made in WA (MD) Nos.383 to 457 of 2015 and submits that in similar facts and circumstances, the respondent Corporation undertook to pay the amount due and payable in 12 equal monthly installments and hence, similar order may be passed in this writ petition.

5.Heard Mr.T.Pappaiah Dharmarajan, learned counsel for the petitioner and Mr.S.Saikannan, learned Standing counsel, who took notice for the respondents.

6.Considering the facts and circumstances of the case and without going into the merits of the case, this Court directs the first respondent to consider the petitioner's representation dated 28.12.2015 and pass orders on merits and in accordance with law and also in the light of the common judgement dated 12.06.2015 made in WA (MD) Nos.383 to 457 of 2015 within a

period of six weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

7.The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rk

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram)
Limited, Vazhuthareddy, Villupuram 605 602.
2. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram)
Limited, Kancheepuram Region, Kancheepuram.
3. The Administrator, Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai, Chennai 600 002.

+1 cc to Mr.S.Sairaman, Advocate, sr.1878

+1 cc to Mr.T.Pappaiah Dharmarajan, Advocate, sr.1927

W.P.No.787 of 2016

gj co

kra 01.02.2016

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