

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:04.03.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.8068 of 2016

P.Jagadeesan

.. Petitioner

vs

The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited
12, Ramakrishna Road
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 entire retirement benefits such as gratuity, pension, leave surrender pay, provident fund (Management share), IRT share etc., with interest at 18% per annum from the date of retirement viz., 31.07.2012 till the date of payment to the petitioner herein.

For Petitioner : Mr.S.Balaji

For Respondent : Mr.P.Paramasivados

O R D E R

The petitioner, P.Jagadeesan, who joined the services of the respondent Corporation as Conductor on 27.04.1995 had retired from service on 31.07.2012 on attaining the age of superannuation. According to the petitioner, though he was retired from service as early as 31.07.2012, till date he was not paid with any retirement benefits, viz., Gratuity, Pension, Leave Surrender, IRT share except for paying a sum of Rs.41,428/- towards provident fund amount, a sum of Rs.1,01,768 towards commutation and a sum of Rs.66,014/- towards family welfare fund. Therefore, he submitted a representation before the respondent on 13.01.2016. However, till date, the same has not been considered. Hence, the present writ petition.

2. 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.

3. Heard the learned counsel for the petitioner and Mr.P.Paramasivadosh, learned counsel, who took notice on behalf of the respondent.

4. 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 disburse the pending retiral benefits to the petitioner in twelve equal monthly instalments, 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. It is also made clear that the first instalment shall commence from 01.04.2016.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

The Managing Director,
Tamil Nadu State Transport,
Corporation (Salem) Limited,
12, Ramakrishna Road,
Salem 636 007.

+1cc to Mr.S.Balaji, Advocate Sr.14165

W.P.No.8068 of 2016

msm(CO)
srg(11/04/2016)