

In the High Court of Judicature at Madras

Dated: 09.03.2016

Coram:

The Honourable Mr.Justice T.RAJA

Writ Petition No.8772 of 2016

K.Namasivayam, Staff No. 10253 ... Petitioner

Versus

1 The Secretary to Government  
Transport Department Fort St. George  
Secretariat, Chennai-600 009

2 The Managing Director  
Tamil Nadu State Transport Corporation  
(Villupuram) Ltd. Vazhuthareddy  
Villupuram-605 602.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including gratuity, leave on private affairs and D.A. arrears of pension and all other 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 gratuity, to the petitioner payable from the date of retirement i.e. 30.09.2012 till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

For Petitioner .. Mr.M.Selvam  
For Respondent-1 .. Mr.P.Chinnadurai  
Government Advocate  
For Respondent-2 .. Mr.S.Sairaman

ORDER

The petitioner Mr.K.Namasivayam, who served as Supervisor in the Transport Corporation, retired from Service with effect from 30.09.2012. But his terminal benefits, like Gratuity, Leave on Private Affairs for 3 months and Dearness Allowance arrears have

not been disbursed. Therefore, the petitioner has given representations. As there is no response to his representations, he has come to this Court with the present Writ Petition.

2. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3. Considering the limited prayer sought for and also the fact that the petitioner already retired from service, this Court, without going into the merits of the matter, directs the respondents to consider the pending representations of the petitioner, after affording reasonable opportunity of personal hearing to the petitioner if necessary, and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order, on merits and in accordance with law.

4. The Writ Petition is disposed of accordingly. No costs.  
mra

s/d-  
Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

To

1 The Secretary to Government  
Transport Department Fort St. George  
Secretariat, Chennai-600 009

2 The Managing Director  
Tamil Nadu State Transport Corporation  
(Villupuram) Ltd. Vazhuthareddy  
Villupuram-605 602.

+ 1 cc to Mr.M.Selvam, Advocate, SR 15126

+ 1 cc to M/s.S.Sairaman, Advocate, SR 15535

+ 1 cc to Govt.Pleader, High Court, Madras SR 15349

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