

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.01.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.904 of 2016

P.Mani

.. Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd
3/137, Salamedu,
Veludha Reddy Post,
Villupuram 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Kancheepuram Region,
Kancheepuram.

... Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondents to settle the service gratuity benefits payable to the petitioner with interest at the rate of 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering and passing orders on the representation of the petitioner dated 17.12.2015.

For Petitioner : Mr.K.Selvaraj

For Respondents : Mr.P.Kannan Kumar
(Standing Counsel)

O R D E R

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

2.The petitioner has filed this writ petition, directing the respondents to settle the service gratuity benefits with interest at the rate of 12% per annum from the date of his retirement by considering and passing orders on his representation dated 17.12.2015 within the time stipulated by this Court .

3. According to the petitioner, he joined as Conductor in the erstwhile Thanthai Periyar Transport Corporation Ltd. Villupuram on 15.12.1980 and retired from service on 31.08.2012 on attaining the age of superannuation. After retirement, he was paid the provident fund amount alone. Other terminal benefits, such as, service gratuity, commutation, leave salary, DA arrears etc. were not settled to the petitioner. Hence, the petitioner made a representation dated 17.12.2015 to the first respondent and the same is yet to be disposed of. Therefore, the petitioner approached this court with the present writ petition.

4. Learned counsel for the petitioner produced a copy of the order dated 24.07.2015 passed by this Court in WP.No.22405 of 2015 and prayed that similar order may be passed in this writ petition.

5. Heard Mr.P.Kannan Kumar, learned standing counsel who took notice for the respondents.

6. This Court perused the order dated 24.07.2015 passed by this Court in WP.No.22405 of 2015, wherein, this court passed the following order:

"In the circumstances, the writ petition is disposed of, directing the respondents to settle the terminal benefits payable to the petitioner within a period of twelve weeks from the date of receipt of copy of the order, if not already settled and the petitioner is also entitled to interest on those amounts if the Rules provide for payment of interest and in the absence of Rules, the petitioner is entitled to interest as per the decision rendered in State of Tamil nadu represented by the Secretary to Government v. Deivasigamani (2009 (3) MLJ 1)."

7. Following the same, this writ petition is disposed of, with a direction to the respondents to dispose of the petitioner's representation dated 17.12.2015 on merits and in accordance with law and also in the light of the order dated 24.07.2015 made in WP.No.22405 of 2015, within a period of four weeks from the date of receipt of a copy of this order.

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

-s/d-

Assistant Registrar(CO)
dt:25/01/2016

True Copy

Sub-Assistant Registrar

rk
To

1.The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd
3/137, Salamedu,
Veludha Reddy Post,
Villupuram 605 602.

2.The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Kancheepuram Region,
Kancheepuram.

+1 cc to Mr.K.Selvaraj Advocate sr.2068

W.P.No.904 of 2016

tej(co)
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