

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.03.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9643 of 2016

B.Selvaraj (Staff No.13654)

S/o.Balakrishnan

.. 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

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including leave salary, gratuity, dearness allowance arrears and promotion arrears of salary 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 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.M.Selvam

For Respondents : Mr.S.Sairaman

O R D E R

Mr.B.Selvaraj has filed this writ petition for issuance of a writ of mandamus directing the respondents to settle the petitioner's retirement benefits including leave salary, gratuity, dearness allowance arrears and promotion arrears of salary 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 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.

2. Heard the learned counsel for the petitioner. Mr.S.Sairaman, learned counsel takes notice on behalf of the respondents.

3. The petitioner joined as Conductor in the year 1979 in Pallavan Transport Corporation Ltd., Chennai and retired as Checking Inspector on 31.05.2013 while working in the Kancheepuram Regional office of the second respondent Corporation on reaching the age of superannuation. Now the grievance of the petitioner is that his retirement benefits, namely, leave salary, gratuity, commutation, dearness allowance arrears, settlement arrears etc., have not been settled till date by the respondents to him.

4. Since the issue is squarely covered by the various orders passed by this Court, in the light of the Hon'ble Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 (K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited represented by its Managing Director, Madurai and others), this writ petition is disposed of with a direction to the respondents to settle the entire terminal benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from April, 2016 and each of the instalments should be paid on or before 7th of each month. In case of any delay in the payment of the instalments, the interest payable would become 18% p.a. for the delayed period apart from any other remedy which may be available to the petitioner for such non-payment of the instalments. No costs.

Sd/-
Asst.Registrar

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Sub Asst. Registrar

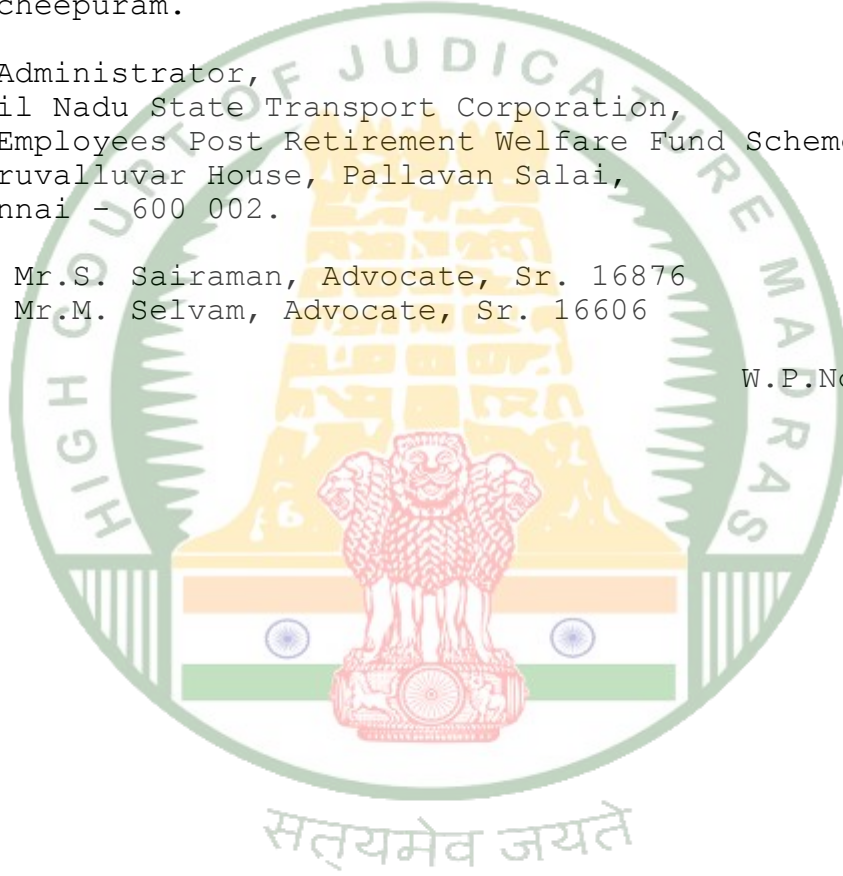
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To

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. 16876
1 cc to Mr.M. Selvam, Advocate, Sr. 16606

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