

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:16.03.2016

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.9845 of 2016

P.Sivashanmugam

.. Petitioner

vs

M/s. State Express Transport Corporation
Rep.by its Managing Director
Pallavan Sali,
Chennai - 600 002

.. 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 settle the petitioner's terminal benefits of surrender of 8 months earned leave of Rs.2,70,310/- and medical leave on private affairs of 45 days of Rs.45,882/- altogether a sum of Rs.3,16,192/- with interest at the rate of 12% taking into consideration of petitioner representation dated 07.03.2016.

For Petitioner : Mr.D.Soundarraaj

For Respondents : Mr.P.Kannankumar

O R D E R

The petitioner, P.Sivashanmugam, joined the service of State Express Transport Corporation, as Junior Assistant and subsequently, he was promoted as Superintendent and had retired from service on 31.07.2011 on attaining the age of superannuation. At the time of retirement, he was working as Superintendent in the State Express Transport Corporation. According to the petitioner, though he was retired from service as early as 31.07.2011, till date he was not paid any retirement benefits. Therefore, he submitted a representation before the respondents on 07.03.2016. 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 submitted that no departmental proceedings is pending against the petitioner. The learned counsel 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.Kannankumar, learned standing counsel appearing for 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 consider and dispose of the representation submitted by the petitioner dated 07.03.2016 on merits and in accordance with law, 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, within a period of four weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

5. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

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To

The Managing Director
M/s. State Express Transport Corporation
Pallavan Sali, Chennai - 600 002

1 cc to M/s.P. Kannankumar, Advocate, Sr. 17221
1 cc to M/s. D. Soundarraaj, Advocate, Sr. 16779

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