



WEB COPY

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2016

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.6349 of 2016

C.Balu ... Petitioner

Vs.

1.The management of
Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd,
Kumbakonam Region,
Rep by its Managing Director,
Kumbakonam.

2.The Administrator,
Tamil Nadu State Transport Employees
Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai 2.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 1st respondents to pay the petitioner Rs.8 56 962/- towards Gratuity and Rs.5 07 416/- towards Leave Salary and also arrears of wages for the period from 01.09.13 to 28.02.15 payable pursuant new wage settlement together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution amount Rs.4 24 175/- for the period from 28.02.15 to 29.06.15 at the rate as per EPF Scheme and further directing the respondents to pay him Rs.333601/- towards the pension commutation amount and arrears of pension for the period from 01.03.2015 by revising his pension, together with 18% interest per annum within a time frame fixed by this Court.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.D.Sivaraman
Standing Counsel.

**ORDER**

The prayer in the writ petition is for the issue of a writ of mandamus to direct the respondents to pay retirement benefits with interest to the petitioner.

2.It is stated that though the petitioner was allowed to retire from the service of the respondents, till date the respondent Corporation has not settled the retirement benefits. Hence, the petitioner has given representations to settle the entire terminal benefits along with interest for the belated payment. As there was no response to the said representation, the petitioner has come up with the above writ petition.

3.When the matter is taken up for hearing, Mr.D.Sivaraman, learned Standing Counsel appearing for the respondents has submitted that the issue is covered by a judgment, passed by the Honourable Division Bench in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015. He has further submitted that the respondents would consider the request of the petitioners in the light of the judgment passed by the Honourable Division Bench.

4.For ready reference, the judgment passed by the Hon'ble Division Bench in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015 is extracted as follows:

"The learned Additional Advocate General submits that he has obtained written instructions vide letter No.7945/E/2015-2 dated 11.06.2015 that the terminal benefits of the appellants would be settled through twelve equal monthly instalments, carrying interest of 6% p.a.

2.The said statement is thus taken on record and the respondents will be bound by the same, we have to keep in mind the judicial pronouncement of the Honourable Supreme Court in D.D.TEWARI (D) THR. LRS. Vs. UTTAR HARYANA BIJLI

VIITRAN NIGAM LTD & ORS {2014 (9) SCALE -



To

WEB COPY

The Managing Director,
The management of Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd,
Kumbakonam Region,
Kumbakonam.

+1cc to M/s.S.Arunachalam Advocate in SR.No.18304/16

+1cc to M/s.D.Sivaraman Advocate in SR.No.18201/16

SDR:SKS-RR/13.04.2016:4P:4C

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