



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.06.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P (MD) .No.9840 of 2016

K.Vijayaraghavan

... Petitioner

Vs.

1.The Management of
Tamil Nadu State Transport Corporation
(kumbakonam) Ltd,
rep.by its Managing Director,
Kumbakonam.

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

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 1st respondent to pay the petitioner Rs.10,00,000/-towards Gratuity Rs.6,47,735/- towards leave salary, Rs.1,98,963/- towards encashment of leave on personal affairs and Rs.4360 towards refundable deposits together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution amount Rs.2,21,917/- for the period from 31.03.2016 to 21.10.2016 at the rate as per EPF Scheme and further directing the respondents to pay him Rs.4,93,521/- towards the pension commutation amount together with 18% interest per annum.

For petitioner : Mr.S.Arunachalam
For Respondents : Mr.D.Sivaraman

ORDER

The petitioner, Mr.K.Vijayaraghavan, was appointed as Junior Assistant in the first respondent Corporation on 06.03.1996. Thereafter, he was promoted as Deputy Manager in Trichy Region and subsequently, he retired from service on 31.03.2016. The grievance of the petitioner is that his terminal benefits, namely, gratuity, leave salary, leave on personal affairs, EPF and commutation of pension have not been paid to him. The first respondent has given a representation dated 18.05.2016 to the petitioner. Finding that no response was forthcoming from him, the petitioner is constrained to come to this Court.



2. The learned Counsel appearing for the petitioner submitted that in respect of similar cases, this Court has directed the respondents to pay the amount due in 12 monthly equal instalments with interest at the rate of 6% per annum. It is further stated that the said order made in W.P.(MD).No.14788 to 14790 of 2015 dated 18.08.2015 came to be passed after following the order of the Division Bench made in the Writ Appeal in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015.

3. The learned Counsel for the respondents Corporation is not disputing any of the above facts submitted by the learned Counsel appearing for the petitioner. On the other hand, he submitted that the respondent Corporation will pay the amount to the petitioner in 12 monthly equal instalments, as in the case of other similarly placed persons.

4. Since the issue involved in this Writ Petition is no more res integra, the first respondent is directed to disburse the entire retiral benefits to the petitioner in 12 equal monthly instalments. The first installment shall commence from **01.07.2016** with interest at the rate of 6% per annum.

5. With the above terms, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writs)

/True copy/

Sub Assistant Registrar

To

1.The Managing Director,
The Management of
Tamil Nadu State Transport Corporation
(kumbakonam) Ltd,
Kumbakonam.

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

+1cc to Mr.D.Sivaraman, Advocate SR.No.28522
+1cc to Mr.S.Arunachalam, Advocate Sr.No.28331

sm:SKS-RR:SAR III:10.06.2016:2P/5C

W.P(MD) .No.9840 of 2016