

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.9105 of 2017

S.Sivapatham

.. Petitioner

-VS-

Tamil Nadu State Transport
Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043,
Represented by its Managing Director.

.. Respondent

Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to pay the petitioner all the retirement benefits including Provident Fund, Gratuity, Leave Salary Amount IRT Deposit Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Court.

For Petitioner :: Mr.A.Rajendiran

For Respondent :: Mr.P.Kannan Kumar

ORDER

The petitioner, having retired from service as Foreman in the respondent Corporation on 28.02.2017, has filed this writ petition seeking a

direction to the respondent to settle all the retirement benefits payable to him, as prayed for in the petition.

2.Mr.P.Kannan Kumar, learned Standing Counsel appearing for the Transport Corporation submitted that since there has been a direction issued by the Hon'ble Division Bench in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 directing the Corporation to disburse all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, a similar direction may be issued in this writ petition also.

3. This Court, recording the statement made by the learned Standing Counsel appearing for the respondent, taking note 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) directing the respondent to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondent to settle the entire retirement benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from June, 2017 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. With this direction, the writ petition is disposed of accordingly. No costs.

Speaking/Non speaking order
Index : yes/no
vga

17.04.2017

To

Tamil Nadu State Transport
Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043,
Represented by its Managing Director.

T.RAJA, J.

vga

W.P.No.9105 of 2017

17.04.2017

<http://www.judis.nic.in>