

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.717 of 2017

C.Sabapathy

..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 - 605 602.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai-600 002.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, Leave Surrender (EL), D.A. Arrears, RBS arrears, IRT amount and settlement arrears with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.06.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this

Court.

For Petitioner :: Mr.V.Dhandapani

For Respondents :: Mr.P.Kannan Kumar for R1 and R2
 Mr.P.Paramasivadoss for R3

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondents to settle his retirement benefits including Gratuity, Commutation, Leave Surrender (EL), D.A. Arrears, RBS arrears, IRT amount and settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits payable from the date of retirement i.e., 30.06.2015 to till date of actual payment within the time that may be stipulated by this Court.

2. Heard the learned counsel appearing for the petitioner. Mr.P.Kannan Kumar, learned Standing counsel takes notice on behalf of respondents 1 and 2. Mr.P.Paramasivadoss, learned Standing Counsel takes notice on behalf of the third respondent.

3. The petitioner joined the service in the Pallavan Transport Corporation Ltd., Chennai at Madhavaram as Driver on 05.03.1985 and he was retired from service on 30.06.2015 while working as Special Grade Driver at Ponneri Depot of the second respondent Corporation. Now the grievance of the

petitioner is that his retirement benefits, namely, Gratuity, Commutation, Leave Surrender (EL), D.A. Arrears, RBS arrears, IRT amount and settlement arrears etc., have not been till date settled by the respondents.

4. Since the issue is squarely covered by 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 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. No costs.

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Speaking/Non-speaking order
Index : yes/no
vga

T.RAJA, J.
vga

To

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