

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.9251 of 2017

J.Sukumaran

... Petitioner

-Vs-

State Express Transport
Corporation Ltd.,
rep.by its Managing Director
No.2, Pallavan Salai
Chennai 600 002

... Respondent

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to settle the terminal benefits of the petitioner, Gratuity amount of Rs.9,00,000/-, Surrender of Earned leave of 21 days amount of Rs.27,300/-, Social Security Scheme amount of Rs.35,000/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/- and altogether a sum of Rs.9,66,800/- with interest at the rate of 6% per annum by considering the representation of the petitioner dated 23.03.2017.

For Petitioner : Mr.D.Soundar Raj

For Respondent : Mr.P.Paramasivadoss

ORDER

The petitioner, after joining as Conductor on 16.2.88 in the respondent Corporation, on reaching the age of superannuation, retired as Selection Grade Senior Conductor on 30.4.2016 after putting in 28 years of unblemished service, it is pleaded. However, he was not paid with the following retiral benefits, namely, Gratuity amount of Rs.9,00,000/-, Surrender of Earned leave of 21 days amount of Rs.27,300/-, Social Security Scheme amount of Rs.35,000/-, Erode Engineering College and Perundurai Medical College amount of Rs.4,500/-, altogether a sum of Rs.9,66,800/-, for which he has given a representation on 23.3.2017. Since the said representation has not been considered, he is before this Court.

2. Mr.P.Paramasivadoss, learned standing counsel 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 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 aforementioned retirement benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a., by considering his representation. The instalments should commence from July, 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.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

ss

To

The Managing Director,
State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai 600 002.

+1cc to Mr.P.Paramasivadosh, Advocate, S.R.No.23583

W.P.No.9251 of 2017

SCD(CO)
CA(05/05/2017)