

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8269 of 2017

Mani

.. Petitioner

-VS-

1.Tamil Nadu State Transport Corporation
(Coimbatore) Ltd.,rep. By its
Managing Director,
37, Mettupalayam Road,
Coimbatore-43.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Coimbatore) Ltd., Erode Region,
Chennimalai Road, Erode 638 001.

3.Tamil Nadu State Transport Corporations
Employees' Pension Fund Trust,
rep. by its Administrator,
Thiruvalluvar Illam, Pallavan Salai,
Chennai 600 002

.. Respondents

Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to pay the petitioner a sum of Rs.75,899/- towards difference in wages payable as per the settlement for the period from 01.09.2010 to 30.06.2012; a sum of Rs.61,807/- towards pension arrears payable for the period from 01.07.2012 to 30.04.2015; a sum of Rs.2,49,398/- towards earned leave salary for 220 days and medical leave salary for 36 days which stood to this credit prior to August 1998, a sum of Rs.2,49,378/- towards commuted value of pension; interest for the belated payment of PF for 61 days; difference in gratuity based on the correct salary

payable to him as per the settlement as on the date of his retirement; interest for the belated payment of gratuity already paid based on the pre-review salary; revised monthly pension based on the correct salary payable to the petitioner as per the settlement as on the date of his retirement, with corresponding increase in D.A. with arrears; monthly pension payable under the Post Retirement Benefit Scheme and also the amount payable under the Social Security Scheme and other service/terminal benefits together with interest for the belated payment of service/terminal benefits which were already paid.

For Petitioner :: Mr.V.Ajoy Khose

For Respondents :: Mr.P.Kannankumar
 for the Transport Corporation

ORDER

The petitioner, having retired from service as Selection Grade Checking Inspector in the respondent Corporation on 30.06.2012, has filed this writ petition seeking a direction to the respondents to settle all the retirement benefits payable to him, as prayed for in the petition.

2. Mr.P.Kannankumar, 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 Additional Advocate General for the respondents, 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 respondents to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondents 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 petitioners for such non-payment of the instalments. With this direction, the writ petition is disposed of accordingly. No costs.

Speaking/Non speaking order

07.04.2017

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Index : yes/no

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T.RAJA, J.

vga

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