

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8273 of 2017

M.Vadivel

.. 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.15,162/- towards earned leave salary for 12 days; a sum of Rs.5,29,125/- towards gratuity for 25 years of service; a sum of Rs.3,77,953/- towards Employee's Contribution of Employees Provident Fund; a sum of Rs.1,000/- per month from 01.06.2016 towards monthly pension under the Post Retirement Benefit Scheme with arrears and also the amount payable under the Social Security Scheme; a sum of Rs.7,000/- arrears of difference in dearness allowance due to the increase in dearness allowance payable upto January 2017

and the increased dearness allowance from February 2017 with arrears and other service and terminal benefits with interest for the belated payment of service/terminal benefits together with interest at the rate of 12% p.a.

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 Driver in the respondent Corporation on 31.05.2015, 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
vga

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T.RAJA, J.

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