

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8310 of 2017

M.Arumugam

.. Petitioner

-VS-

The Managing Director,  
Tamil Nadu State Transport Corporation  
(Coimbatore) Ltd.,  
37, Mettupalayam Road,  
Coimbatore.

.. 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 disburse the payments relating to gratuity, surrender leave salary i.e. Earned Leave balance as on 31.01.2013, surrender medical leave salary upto 01.09.1998 by calculating D.A. eligible as per newly implemented scheme and earned leave already surrendered, with interest at 12% per annum with effect from 01.02.2013 within stipulated time as may be fixed by this Court.

For Petitioner        ::     Mr.I.C.Vasudevan

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

ORDER

The petitioner, having retired from service as Senior Tradesman in the respondent Corporation on 31.01.2013, 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.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 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 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 7<sup>th</sup> 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

07.04.2017

To

The Managing Director,  
Tamil Nadu State Transport Corporation  
(Coimbatore) Ltd.,  
37, Mettupalayam Road,  
Coimbatore.

T.RAJA, J.

vga

W.P. No.8310 of 2017

07.04.2017