

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7338 of 2017

A.Mariyasoosai

... 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,
Villupuram Region,
Villupuram.
- 3) The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvallurvar House, Pallavansalai,
Chennai-600 002.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Unavailed portion leave salary, Surrender Leave amount, D.A. Arrears, CRBS amount, Settlement arrears and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.07.2013 within stipulated time.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.P.Kannan Kumar

ORDER

The petitioner was joined in service in the Thandai Periyar Transport Corporation on 25.11.1986 as 'Conductor' and he was retired from service on 30.06.2013 in Tamil Nadu State Transport

Corporation (Villupuram) Limited, Villupuram Region at Kallakurichi-II depot as 'Special Grade Conductor' and the second respondent Corporation has provided Provident Fund, Social Welfare Fund and IRT amount to the petitioner. Since the other statutory retirement benefits had not been given, the petitioner had made a representation dated 15.03.2017 to the second respondent. As there was no response from the second respondent, he had advised to come forward to file this writ petition before this Court.

2. Heard Mr.J.Pradeep, learned counsel for the petitioner. Mr.P.Kannan Kumar, learned Standing Counsel takes notice on behalf of the respondents.

3. The issue involved in the present writ is squarely covered by the judgment of the Division Bench of the Madurai Bench of this Court dated 12.6.2015 made in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, represented by its Managing Director, Madurai and others).

4. Following the said judgment, without going into the merits of the matter, the second respondent is directed to disburse the left over retirement benefits such as Gratuity, Pension Commutation, Unavailed portion leave salary, Surrender Leave Amount, D.A.arrears, CRBS amount, Settlement arrears etc., through twelve equal monthly installments, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others), dated 12.06.2015 carrying interest of 6% p.a.. except Provident Fund, Social Welfare Fund and IRT amount, to the petitioner. It is also made clear that the first instalment shall commence from first week of June, 2017.

5. With the above direction, the present writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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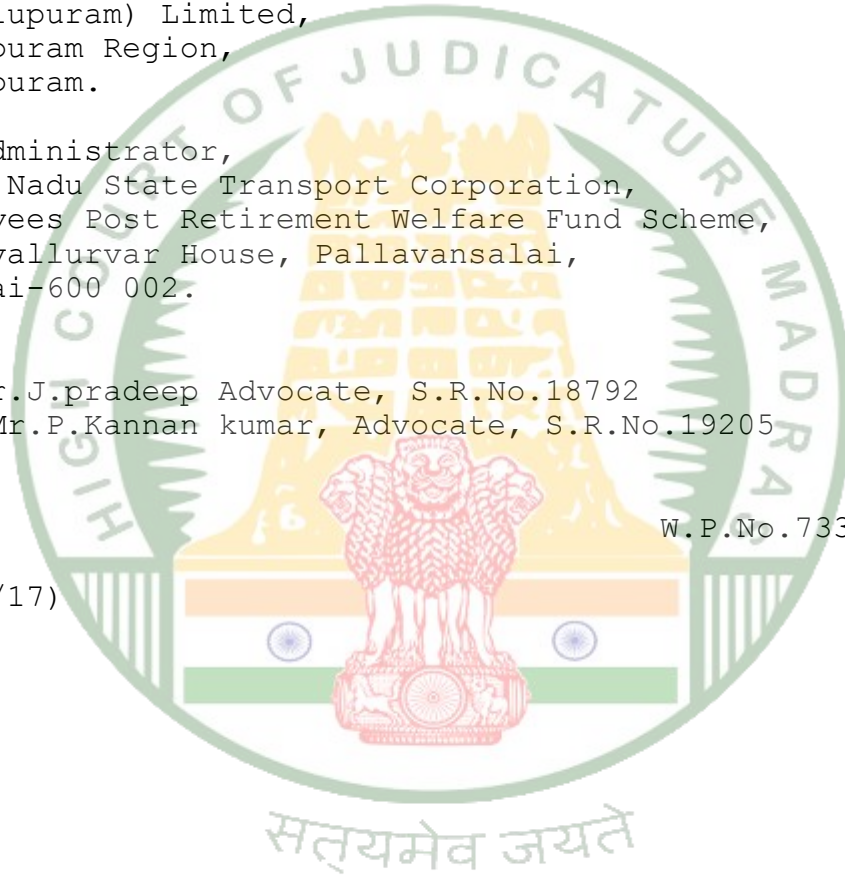
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+1cc to Mr.J.pradeep Advocate, S.R.No.18792

+2ccs to Mr.P.Kannan kumar, Advocate, S.R.No.19205

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gj (co)
rmp (08/05/17)



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