

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8329 of 2017

S.Cosmus Cross Jayakumar

.. Petitioner

-VS-

The Managing Director,
Tamil Nadu State Transport
Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

.. Respondent

Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent herein to pay the petitioner his retirement benefits with interest to the petitioner, as per his representation made to the respondent on 31.10.2016.

For Petitioner :: Mr.S.Balasubramanian

For Respondent :: Mr.P.Kannan Kumar

ORDER

The petitioner, having retired from service as Senior Checking Inspector in the respondent Corporation on 29.02.2012, 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.Kannan Kumar, learned Standing Counsel appearing 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 appearing 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 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.

Speaking/Non speaking order
Index : yes/no
vga

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To

The Managing Director,
Tamil Nadu State Transport
Corporation (CBE) Ltd.,
37, Mettupalayam Road,
Coimbatore – 641 043.

T.RAJA, J.

vga

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