

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10417 of 2017

K.V.Patrose

.. Petitioner

-Vs-

1. The Government of Tamil Nadu
Rep by the Secretary
Transport Department
Secretariat, St. George Fort, Chennai 600 009.
2. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy
Villupuram 605 602.
3. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram Region
Kancheepuram.
4. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, EL Surrender, RBS arrears, settlement arrears and DA arrears with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.6.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Hon'ble Court.

For Petitioner:: Mr.M.Selvam

For Respondents:: Mr.T.M.Pappiah
Special Government Pleader
for R1
Mr.P.Kannan Kumar
for R2 to 4

ORDER

The petitioner, having retired from service as Checking Inspector in the respondent Corporation on 30.6.2013, has filed this writ petition seeking a direction to the respondents to settle all the retirement benefits payable to him, namely, Gratuity, Commutation, EL Surrender, RBS arrears, settlement arrears and DA arrears totalling to Rs.11,84,000/- by consider his representation dated 23.3.2016.

2. Mr.P.Kannan Kumar, 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 retiral 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 Transport Corporation, 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., by considering his representation. The instalments should commence from July, 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.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

gmd/ss

To

1. The Secretary to Government
Transport Department
Secretariat, St. George Fort,
Chennai 600 009.
2. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy
Villupuram 605 602.
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Corporation (Villupuram) Limited,
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Kancheepuram.
4. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.

+1cc to M/s.M.Selvam, Advocate sr.24866

+1cc to M/s.P.Kannankumar, Advocate sr.25933

+1cc to Government Pleader sr.25317

W.P.No.10417 of 2017

rsk(co)
ss(24/5/2017)

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