

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10435 of 2017

M.Mohan

.. Petitioner

-Vs-

1. The Secretary to Government
Transport Department
Fort. St. George, Secretariat,
Chennai -9.
2. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Villupuram.
3. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram Region
Kancheepuram.

... Respondents

Petition 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, leave surrender and arrears of new basic pension and direct the respondents to pay the revised basis pension as per 2013 wage settlement to the petitioner.

For Petitioner : Mr.G.Sivakumar

For Respondents : Mr.T.M.Pappiah

Special Government Pleader for R1
Mr.P.Kannan Kumar for R2 & 3

ORDER

The petitioner, having retired from service as Senior Tradesman in the respondent Corporation on 30.04.2013, has filed this writ petition seeking a direction to the respondents to settle all the retirement benefits payable to him, namely,

Gratuity, Commutation, leave surrender and arrears of new basic pension and the revised basic pension as per 2013 wage settlement, by considering his representation dated 26.05.2016.

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/-

Assistant Registrar(CS VI)

//True Copy// सत्यमेव जयते

Sub Assistant Registrar

gmd/ss

To

1. The Secretary to Government
Transport Department
Fort. St. George, Secretariat,
Chennai -9.

WEB COPY

2. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Villupuram.

3. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram Region
Kancheepuram.

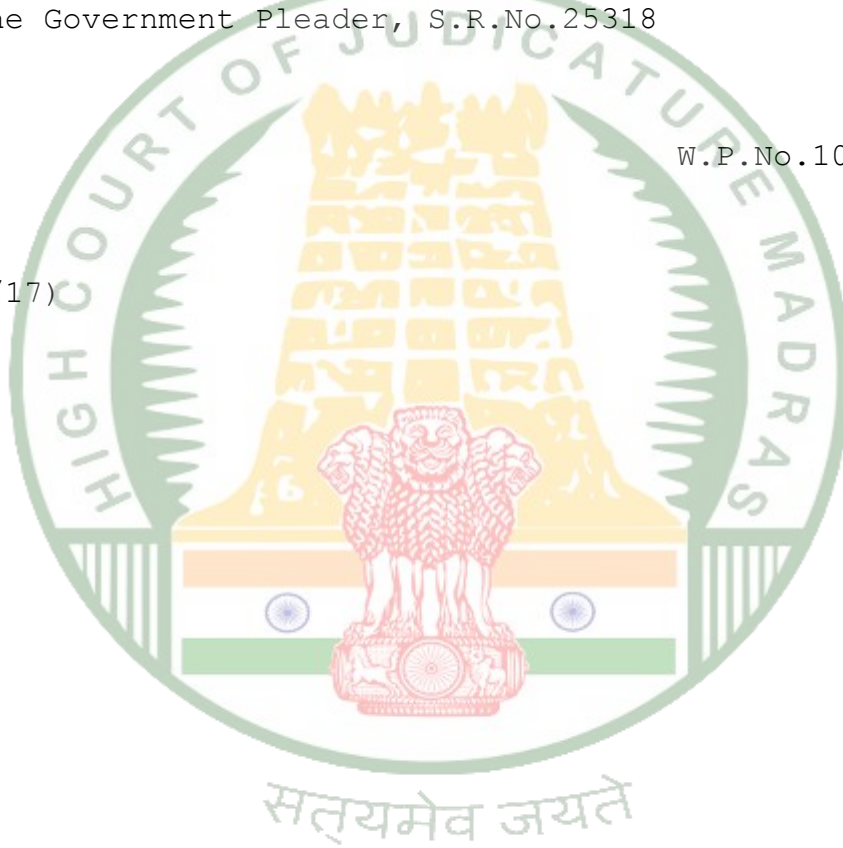
+1cc to Mr.G.Sivakumar, Advocate, S.R.No.25127

+1cc to Mr.P.Kannan kumar, Advocate, S.R.No.25931

+1cc to the Government Pleader, S.R.No.25318

W.P.No.10435 of 2017

rsy(co)
rmp(02/05/17)



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