

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10480 of 2017

K.Thukkaram

... 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) Ltd.,
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 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, Employees Welfare Fund, IRT amount 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., 28.2.2017 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.M.Dig Vijaya Pandian
Addl. Government Pleader for R1
Mr.P.Kannankumar for R2 to 4

ORDER

The petitioner, having retired from service as Checking Inspector in the respondent Corporation on 28.2.2017, has come to this Court seeking a direction to the respondents to settle his retirement benefits, namely, Gratuity amount of Rs.7,00,000/-, Commutation of Rs.3,25,000/-, EL surrender of Rs.2,00,000/-, RBS arrears of Rs.2,000/-, Employees Welfare Fund of Rs.25,000/-, IRT amount of Rs.5,000/- and DA arrears of Rs.10,000/-, altogether a sum of Rs.12,67,000/-, with interest at the rate of 18% per annum.

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 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 aforementioned retirement benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. 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(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Transport Department,
Fort St.George,
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) Ltd.,
Kancheepuram Region,
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.24864
+1cc to M/S P.Kannan, Advocate Sr.25929

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rsk[co]
srg 11/05/2017