

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10486 of 2017

V. Daisy

.... Petitioner

vs

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009

2. The Managing Director
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai
Chennai 600 002

3. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House,
Pallavan Salai
Chennai 600 002

.... Respondents

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 2nd and 3rd respondents to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.2,45,100/-, Pension Commutation Amount of Rs.3,43,000/-, Gratuity difference Amount of Rs.50,000/-, Leave on private affairs Amount of Rs.73,000/- and IRT Contribution Amount of Rs.4,600/-, the total comes to Rs.7,16,000/- (Rupees seven lakhs and sixteen thousand only) with 18% interest on delayed payment to the petitioner in the Superintendent Staff No.A07513 who has retired from service on 31.01.2016.

For Petitioner :: Mr.D.Veerasekaran

For R.1 :: Mr.T.M. Pappiah

Special Government Pleader for R1

For R.2 & R.3 :: Mr.P.Kannankumar

ORDER

The petitioner, having retired from service as Superintendent in the respondent Corporation on 31.01.2016, has filed the writ petitions seeking a direction to the respondents to settle the retirement benefits payable to him, namely, Earned Leave Surrender Salary Amount, Pension Commutation Amount, Gratuity difference amount, Leave on private affairs and IRT Contribution Amount as prayed for in the writ petition, with interest at 18% per annum.

2. The 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 respondent 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. The instalments should commence from 1st 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 VIII)

//True Copy//

Sub Assistant Registrar

sr

To

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009
2. The Managing Director
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai
Chennai 600 002
3. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House,
Pallavan Salai
Chennai 600 002

+1cc to Mr.D.Veerasekaran, Advocate, S.R.No.25365
+1cc to Mr.P.Kannan kumar, Advocate, S.R.No.25940
+1cc to the Government Pleader, S.R.No.25307

ev(co)
rmp(09/05/17)

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