

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8462 of 2017

S.Seetharaman

.. Petitioner

-vs-

1.The Managing Director
Tamil Nadu State Transport
Corporation Limited (Villupuram)
Salamedu, Vazhuthareddy post
Villupuram.

2.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 issuance of a Writ of Mandamus, directing the respondents to disburse the arrears of salary for ten months i.e., from 01.09.2013 to 30.06.2014, Gratuity, Pension Commutation, Earned Leave balance as on 30.06.2014 by revising the scale of pay of the petitioner on the basis of the settlement award dated 13.04.2015 with interest at 12.% per annum with effect from 01.07.2014 to the petitioner within stipulated time as fixed by this Court.

For Petitioner : Mr.I.C.Vasudevan

For Respondents : Mr.P.Kannan Kumar, Standing Counsel

ORDER

The Writ Petition has been filed seeking issuance of a Writ of Mandamus, directing the respondents to disburse the arrears of salary for ten months i.e., from 01.09.2013 to 30.06.2014, Gratuity, Pension Commutation, Earned Leave balance as on 30.06.2014 by revising the scale of pay of the petitioner on the basis of the settlement award dated 13.04.2015 with interest at 12.% per annum with effect from 01.07.2014 to the petitioner within stipulated time as fixed by this Court.

2. The petitioner was working as Special Grade driver in the first respondent Corporation and got retired from service on

30.06.2014. The grievance of the petitioner is that his arrears of salary for ten months i.e., from 01.09.2013 to 30.06.2014 have not been disbursed by the respondents. In this regard, the petitioner has sent a representation to the respondents on 19.01.2017. But the respondents have not taken any steps to settle his arrears of terminal benefits so far. Therefore, the petitioner has come forward with the present writ petition.

3. Heard the learned counsel for the petitioner. Mr.P.Kannan Kumar, learned Standing Counsel, who takes notice on behalf of the respondents, submitted that he sought six weeks to consider the petitioner's representation dated 19.01.2017 on the basis of the new Settlement Award.

4. Recording the submissions so made by the learned Standing Counsel appearing for the respondents, this Court hereby directs the first respondent to consider the petitioner's representation dated 19.01.2017 and pass orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. If the petitioner's terminal benefits were not disbursed till now, the same shall be disbursed within 12 equal monthly instalments and the first instalment will commence from the first week of July 2017.

5. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

To

1.The Managing Director
Tamil Nadu State Transport
Corporation Limited (Villupuram)
Salamedu, Vazhuthareddy post
Villupuram.

2.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan salai, Chennai-600 002.

+1 cc to Mr.I.C.Vasudevan,advocate,sr.21585
+2 cc's to Mr.P.Kannankumar,advocate,sr.21675

pvs (co)
krd 26/4

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