

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.04.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No. 1066 of 2017

R. Selvakumar

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 filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 2 and 3 to disburse the retirement benefits, viz., settlement of salary (Grade pay with revised salary) of Rs.75,000/-, gratuity (difference in gratuity) settlement of Rs.1,40,000/-, Earned Leave surrender salary of Rs.4,12,000/-, pension commutation of Rs.1,23,500/- and pension arrears of Rs.75,000/- in total amounting to Rs.8,25,500 (Rupees Eight Laksh Twenty Five Thousand Five Hundred only) with 6% interest on delayed payment.

For petitioner

Mrs.S.Jayakumari

For R1

Mr. T.M.Pappiah
Special Government Pleader

For RR 2 & 3

Mr. . Kannan Kumar
Standing Counsel

ORDER

Mr. T.M. Pappiah, learned Special Government Pleader, accepts notice for the first respondent. Mr. P. Kannan Kumar, learned Standing Counsel, accepts notice for respondents 2 and 3. With consent, this writ petition is taken up for final disposal at the admission stage itself.

2 The petitioner joined the service of Metropolitan Transport Corporation Ltd., in the year 1980 and retired as Checking Inspector on 30.04.2014 on attaining the age of superannuation. His grievance is that he has not been disbursed with the terminal benefits, viz., settlement of salary (grade pay with revised salary), settlement of gratuity (difference amount), encashment of earned leave surrender salary, pension commutation and arrears of pension. Seeking payment of the said benefits, he has addressed representations dated 15.07.2016, 28.11.2016 and 14.12.2016 to the second respondent and since the same are still under consideration, he has preferred this writ petition seeking disposal of the same.

3 Since the issue involved in this writ petition has already been decided by a Division Bench of the Madurai Bench of Madras High Court in K.Rajendran and others Vs. Tamil Nadu State Transport Corporation, represented by its Managing Director, Madurai-10 and 3 others [W.A.No.(MD) Nos.383 to 457 of 2015], the second respondent is directed to consider and pass orders on the petitioner's last representation dated 14.12.2016, provided, the same is in order, in the light of the aforesaid judgment and disburse the retirement benefits sought by the petitioner, provided, he has retired without any disciplinary proceedings pending against him, in 12 equal monthly instalments, with the first instalment commencing from the first week of June 2017.

With the above direction, this writ petition stands disposed of. Costs made easy.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

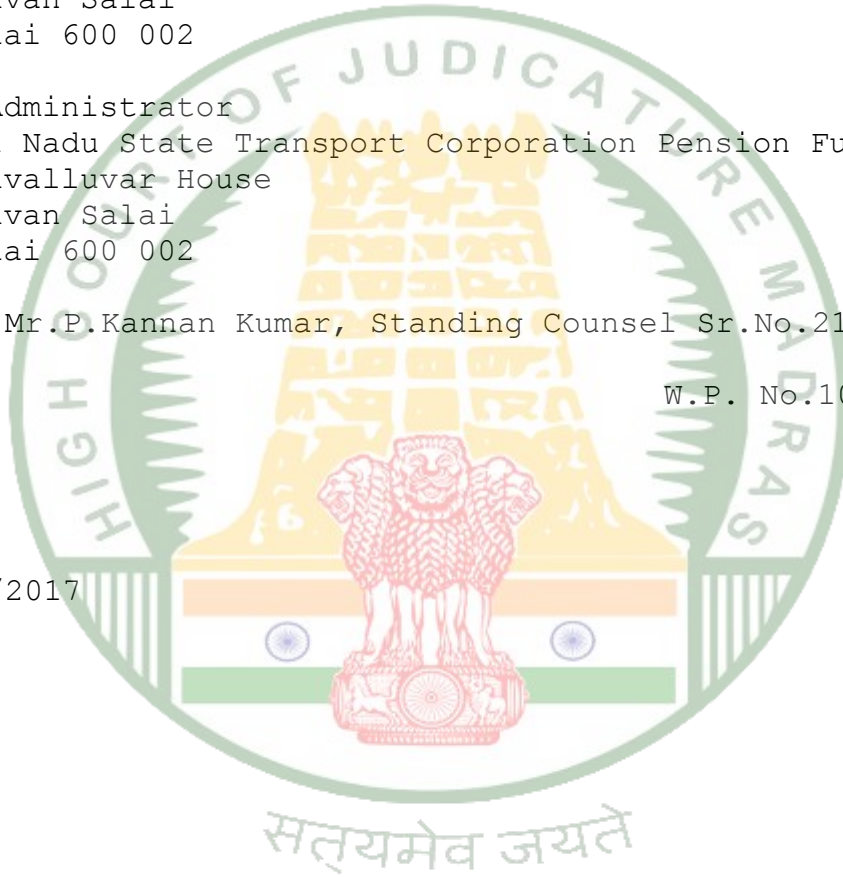
To

- 1 The Principal Secretary to Government
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Tamil Nadu State Transport Corporation Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai 600 002
- + 2 cc to Mr.P.Kannan Kumar, Standing Counsel Sr.No.21001

W.P. No.1066 of 2017

CA(CO)

RRI 24/04/2017



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