IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.04.2017

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No. 9710 of 2017

T. Balasubramanian Petitioner

vs.

The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.
Villupuram Respondent

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to disburse the payments relating to Gratuity, Surrender Leave Salary, i.e., Earned Leave balance as on 31.05.2013 and other monetary benefits by calculating D.A. eligible as per the newly implemented scheme, with interest at 12% per annum with effect from 01.06.2013 within a stipulated time.

For petitioner Mr. I.C. Vasudevan

For respondent Mr. A. Antony Arockiyaraja

ORDER

Mr. A. Antony Arockiyaraja, learned counsel, accepts notice for the respondent Transport Corporation. With consent, this writ petition is taken up for final disposal at the admission stage itself.

2 This writ petition has been preferred seeking a writ of mandamus directing the respondent to disburse the payments relating to Gratuity, Surrender Leave Salary, i.e., Earned Leave balance as on 31.05.2013 and other monetary benefits by calculating D.A. eligible as per the newly implemented scheme, with interest at 12% per annum with effect from 01.06.2013 within a stipulated time.

3 The petitioner joined service in the respondent Transport Corporation on 15.09.1974 and retired from service as Section Officer on 31.05.2013 on reaching the age of superannuation. However, he was not paid with the aforesaid benefits after his retirement. Hence, after addressing a

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representation dated 21.04.2015 to the respondent seeking payment of retiral benefits and finding no response to the same, he has filed the present writ petition.

4 The learned Standing Counsel for the respondent Transport Corporation sought time to disburse the unpaid retiral benefits to the petitioner, in the light of the Division Bench judgment dated 12.06.2015 of the Madurai Bench of Madras High Court in W.A.No.(MD)Nos.383 to 457 of 2015, [K.Rajendran and others Vs. Tamil Nadu State Transport Corporation, represented by its Managing Director, Madurai-10 and 3 others], whereby and whereunder, the respondent Transport Corporation therein was directed to disburse unpaid retiral benefits to the petitioners therein in 12 equal monthly instalments.

5 Recording the above submission made by the learned Standing Counsel for the respondent Transport Corporation, the respondent is directed to consider the case of the petitioner and disburse the unpaid retiral benefits to the petitioner in twelve equal monthly instalments, with the first instalment commencing from the first week of July 2017, provided, he has retired without any disciplinary proceedings pending against him.

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

-Sd/-
Assistant Registrar

// True Copy //

Sub Assistant Registrar

To

The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.
Villupuram

+ 1 cc to Mr.I.C.Vasudevan, Advocate Sr.No.23997
+ 1 cc to Mr.A.Antony Srokiyaraja, Advocate Sr.No.23864

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RK(CO)

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