

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7769 of 2017

Marimuthu.N

.. Petitioner

-vs-

Tamil Nadu State Transport Corporation

37, Mettupalayam Road,

Coimbatore - 641 043

represented by its Managing Director. ... Respondent

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Court.

For Petitioner :: Mr.A.Rajendran

For Respondent :: Mr.P.Kannan Kumar

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Court.

2.Heard the learned counsel appearing for the petitioner. Mr.P.Kannan Kumar, learned Standing Counsel takes notice on behalf of the respondent.

3.The petitioner joined the services of the respondent Corporation as Conductor with effect from 21.04.1981 and he was

retired from the service on attaining the age of superannuation on 28.02.2017 while working in the Tiruppur Region of the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Provident Fund Amount, Gratuity Amount, Leave Salary Amount have not been till date settled by the respondent.

4. Since the issue is squarely covered by the various orders passed by this Court, in the light 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), this writ petition is disposed of with a direction to the respondent to settle the entire terminal benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from June, 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. No costs.

To

Tamil Nadu State Transport Corporation
37, Mettupalayam Road,
Coimbatore - 641 043
represented by its Managing Director.

+one cc to MR.P.KANNAN KUMAR Advocate SR.NO. 19841
+one cc to MR.A.RAJENDRAN Advocate SR.NO. 19645

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LRS (CO)
VS (19/04/2017)