

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7795 of 2017

Thangeswari

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Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport
Corporation Limited (Coimbatore),
37, Mettupalayam Road, Coimbatore.

2.The Administrator,
Tamil Nadu State Transport
Corporation Limited (Salem),
Employees Post Welfare Fund Scheme,
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 payments relating to Provident Funds, Gratuity, Pension Commutation, Family Welfare Fund, Balance ERBS Pension arrears, Surrender Leave Salary i.e. Earned Leave balance as on 31.03.2013, Balance Dearness Allowance, Surrender Medical Leave Salary upto 01.09.1998 by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed by this Court.

For Petitioner :: Mr.I.C.Vasudevan

For Respondents :: Mr.P.Kannan Kumar

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, directing the respondents to disburse the payments relating to Provident Funds, Gratuity, Pension Commutation, Family Welfare Fund, Balance ERBS Pension arrears, Surrender Leave Salary i.e. Earned Leave balance as on 31.03.2013, Balance Dearness Allowance, Surrender Medical Leave Salary upto 01.09.1998, by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed 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 respondents.

3. The petitioner joined the service in the Tamil Nadu State Transport Corporation on 01.09.1993 and she was retired from service on 31.12.2016 while working as a Cleaner in the respondent Corporation. Now the grievance of the petitioner is that her retirement benefits, namely, Provident Funds, Gratuity, Pension Commutation, Family Welfare Fund, Balance ERBS Pension arrears, Surrender Leave Salary i.e. Earned Leave balance as on 31.03.2013, Balance Dearness Allowance, Surrender Medical Leave Salary upto 01.09.1998 and all other attendant benefits etc., have not been till date settled by the respondents.

4. Since the issue is squarely covered by 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 respondents 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.

Index : yes/no

04.04.2017

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T.RAJA, J.

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