

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.7841 of 2017

A.Subathira

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Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram-605 602.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Tiruvannamalai Region,
Tiruvannamalai.

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

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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 Gratuity, Pension Commutation, Labour Welfare Fund, IRT amount, D.A. arrears, CRBS amount, last 10 days salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.10.2014 within stipulated time as may be fixed by this Court.

For Petitioner

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Mr.J.Pradeep

For Respondents

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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 Gratuity, Pension Commutation, Labour Welfare Fund, IRT amount, D.A. arrears, CRBS amount, last 10 days salary and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.10.2014 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's husband joined the service on 01.09.1983 as a Driver in the Thandai Periyar Transport Corporation and he was retired from service on 30.09.2014 while working as Helper/Non ITI in the second respondent Corporation and thereafter he died on 07.06.2015. Now the grievance of the petitioner is that the retirement benefits of her husband, namely, Gratuity, Pension Commutation, Labour Welfare Fund, IRT amount, D.A. arrears, CRBS amount, last 10 days salary 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

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T.RAJA, J.

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