

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.10938 of 2017

S.K.Rajendra babu

.. Petitioner

-vs-

1.Metropolitan Transport Corporation Ltd,
Rep by: The Managing Director,
Pallavan House,
No.2,Pallavan Salai,
Chennai - 600 002.

2.Metropolitan Transport Corporation Ltd.,
Rep by : The General Manager,
Pallavan House,
No.2, Pallavan Salai,
Chennai - 600 002.

.. Respondents

Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to settle the retirement benefits that includes Leave Salary, Dearness Allowance Arrears 12 (3) wage settlement pay revision Arrears, Pension arrears, refund of contribution amount made to Medical college Engineering colleges and the labour welfare fund amount that are payable to the petitioner and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering and passing orders on the representation of the petitioner dated 05.04.2017.

For Petitioner :: Mr.N.Ishac

For Respondents :: Mr.P.Kannan Kumar

ORDER

The petitioner, having retired from service as Senior Tradesman in the respondent Corporation on 30.06.2016, has filed this writ petition seeking a direction to the respondent to settle all the retirement benefits payable to him, as prayed for in the petition.

2.Mr.P.Kannan Kumar, learned Standing Counsel appearing for the Transport Corporation submitted that since there has been a direction issued by the Hon'ble Division Bench in W.A. (MD) Nos.383 to 457 of 2015 dated 12.6.2015 directing the Corporation to disburse all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, a similar direction may be issued in this writ petition also.

3. This Court, recording the statement made by the learned Standing Counsel appearing for the respondent, taking note 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) directing the respondent to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondent to settle the entire retirement benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from July, 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. With this direction, the writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

vga

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To

1.The Managing Director,
Metropolitan Transport Corporation Ltd,
Pallavan House,
No.2,Pallavan Salai,
Chennai - 600 002.

2.The General Manager,
Metropolitan Transport Corporation Ltd.,
Pallavan House,
No.2, Pallavan Salai,
Chennai - 600 002.

+lcc to Mr.N.Ishak, Advocate, S.R.No.26046

+lcc to Mr.P.Kannan kumar, Advocate, S.R.No.26522

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SJ(CO)
RS(12/05/2017)



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