

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5852 of 2017

P.Selvaraj

.. Petitioner

-vs-

1. The Managing Director
Tamil Nadu State Transport
Corporation Limited (Coimbatore)
37, Mettupalayam Road
Corporate Office
Coimbatore
2. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai 600 002 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to disburse the payments relating to Provident Fund, Gratuity, Family Welfare Fund, ERBS Pension, ERBS Pension arrears, Surrender Leave Salary i.e., Earned leave balance as on 28.2.2015, balance dearness allowance, pension dearness allowance arrear, surrender medical leave salary upto 1.9.1998 which was already surrendered, IRT T amount by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.03.2015 within stipulated time as may be fixed by this Hon'ble Court.

For Petitioner :: Mr.I.C.Vasudevan

For Respondents :: Mr.P.Kannankumar

ORDER

Mr.P.Selvaraj has filed this writ petition seeking a direction to the respondents to disburse the payments relating to Provident Fund, Gratuity, Family Welfare Fund, ERBS Pension, ERBS Pension arrears, Surrender Leave Salary i.e., Earned leave balance as on 28.2.2015, balance dearness allowance, pension dearness allowance arrear, surrender medical leave salary upto 1.9.1998 which was already surrendered, IRT T amount by calculating D.A.eligible as per newly implemented scheme, with

interest at 12% per annum with effect from 01.03.2015, within a stipulated time as may be fixed by this Hon'ble Court, by considering his representation dated 16.2.2017.

2. Mr.P.Kannankumar, learned standing counsel takes notice on behalf of the respondents.

3. The petitioner retired from the services of the respondent Corporation as Office Assistant, on reaching the age of superannuation, on 28.2.2015. However, as his retirement benefits, as mentioned above, have not been till date settled to him, he has been advised to come to this Court.

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 respondents 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 April, 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.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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To

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

2. The Administrator

Tamil Nadu State Transport Corporation

Employees Post Retirement Welfare Fund Scheme

Thiruvalluvar House, Pallavan Salai

Chennai 600 002

+1cc to M/s.I.C.Vasudevan,Advocate for the petitioner sr.15208

+2ccs to Mr.P.Kannan Kumar,SC for TNSTC for Respondent sr.15472

W.P.No.5852 of 2017

kj(co)

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