

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7883 of 2017

V.Kothandaraman

.. Petitioner

-vs-

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009
 2. The Managing Director
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai
Chennai 600 002
 3. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
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 2nd & 3rd respondents to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs.4,10,000/- Pension Commutation Amount of Rs.3,21,245/- the total comes to Rs.7,31,245/- (Rupees Seven Lakhs Thirty One Thousand Two Hundred and Forty Five Only) with 18% interest on delayed payment to the petitioner the Superintendent who has retired from service on 30.11.2013.

For Petitioner :: Mr.D.Veerasekaran

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader for R1
Mr.P.Kannankumar for R2 & 3

ORDER

The petitioner has filed this writ petition seeking a mandamus to the respondents 2 & 3 to disburse the retirement benefits viz. Earned Leave Surrender Salary Amount of Rs.4,10,000/- Pension Commutation Amount of Rs.3,21,245/- the total comes to Rs.7,31,245/- (Rupees Seven Lakhs Thirty One Thousand Two Hundred and Forty Five Only) with 18% interest per annum for the delayed payment.

2. The petitioner joined the services of the respondent Transport Corporation as Junior Assistant and retired as Superintendent on 30.11.2013 after completion of 32 years of service. His grievance is that the aforementioned retirement benefits have not been till date settled to him.

3. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader takes notice on behalf of the first respondent and Mr.P.Kannankumar, learned standing counsel takes notice on behalf of the second and third respondents.

4. This Court, 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 respondents to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs 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 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. With this direction, the writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

SS

To

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai 600 009

2. The Managing Director
Metropolitan Transport
Corporation (Chennai) Ltd.,
Pallavan Salai, Chennai 600 002

3. The Administrator
Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
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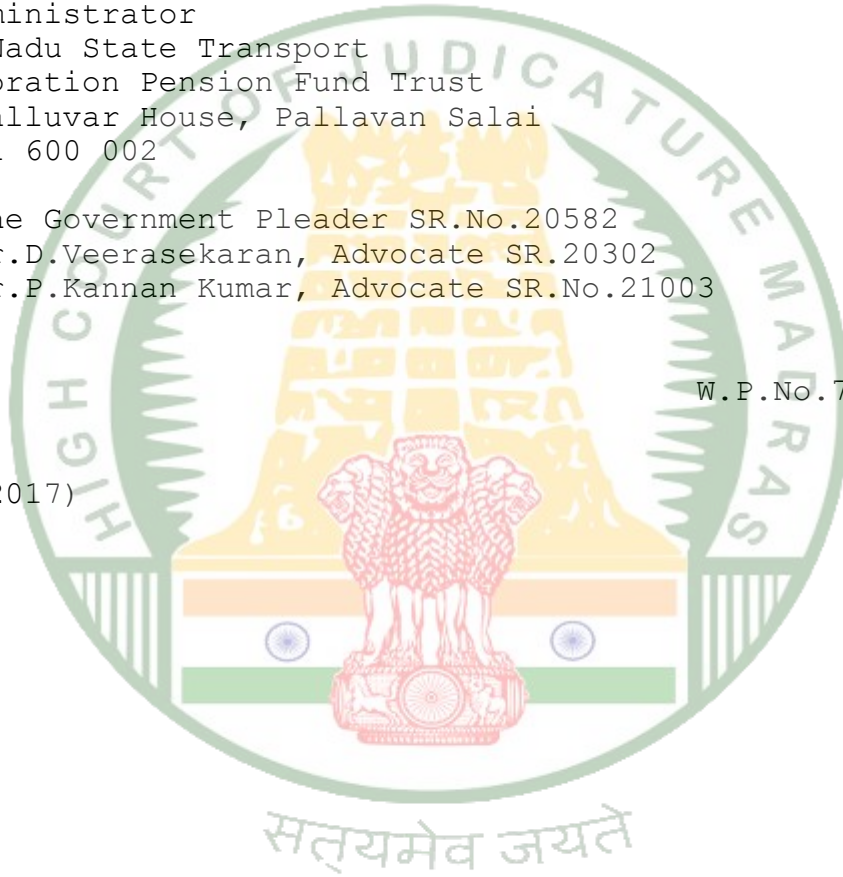
+1cc to the Government Pleader SR.No.20582

+1cc to Mr.D.Veerasekaran, Advocate SR.20302

+1cc to Mr.P.Kannan Kumar, Advocate SR.No.21003

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SS(CO)
GN(20/04/2017)



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