

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.6889/2017 & WMP No.7479/2017

P.S.Sivakumaran

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
(Salem Division),
No.7,Ramakrishna Road,
Salem636007. ... Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondent to pay the petitioner the sum of Rs.1,56,826/- towards settlement of his Provident Fund contribution with interest at the rate of 12.5 percent per annum from 01.08.2016 till the date of payment and award costs.

For Petitioner : Mr.S.Ayyathurai

For Respondent : Mr.R.K.Gandhi

ORDER

The Petitioner has filed this writ petition to directing the respondent to pay the sum of Rs.1,56,826/- towards settlement of his provident Fund contribution with interest at the rate of 12.5 per cent per annum from 01.08.2016 till the date of payment and award costs.

2.Mr.R.K.Gandhi, learned counsel takes notice on behalf of the respondent.

3.The petitioner joined the services of the respondent Corporation as a Conductor during the year, December 1983, and at the time of his retirement on 31.08.2016, he was working as Selection Grade Senior Conductor and was drawing a salary of Rs.35,368/-. The grievance expressed by the petitioner is that though he had retired from service as early as on 31.08.2016, Provident Fund Contribution amounting to Rs.1,56,826/- and other retirement benefits, have not been paid and in this

regard, he had submitted a representation to the respondent on 05.01.2017 and despite receipt of the same, no orders have been passed. Hence, the petitioner has come forward to file the present writ petition.

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 respondent to settle the entire retirement benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a., by considering his pending representation. The instalments should commence from first week of 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.

5. The writ petition stands disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kp
To
The Managing Director,
Tamil Nadu State Transport Corporation Ltd.,
(Salem Division), No.7, Ramakrishna Road,
Salem 636 007.

+lcc to Mr.S. Ayyadurai, Advocate, S.R.No.17689
+lcc to Mr.R.K. Gandhi, Advocate, S.R.No.18772

rj (CO)
md(11/04/2017)

W.P.No.6889/2017