

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8926 of 2017

M.Subramani

.. Petitioner

-VS-

1.The Government of Tamil Nadu,
rep. by its Principal Secretary,
Transport Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Managing Director,
Tamil Nadu State Transport
Corporation (VPM) Ltd.,
No.3/137, Salamedu,
Valuthareddy – post,
Villupuram – 605 602.

3.The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House,
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 petitioner's terminal benefits namely Gratuity, Encashment of leave salary (E/L), Settlement arrears, Pension DA arrears, Pension Commutation, Pending in service leave salary, Retirement Benefit Scheme, Encashment of leave salary (M/L-98), P.F. Arrears, Pending Salary for 10 days and other eligible terminal benefits with 18% interest on delayed payment to the petitioner from

31.10.2015, the date of retirement to till the date of settlement of the terminal benefits to the petitioner in the light of the common order passed in W.A. (MD) Nos.383 to 457 of 2015 dated 12.06.2015.

For Petitioner :: Mr.R.Jaikumar

For Respondents :: Mr.V.Jayaprakash Narayanan,
Special Government Pleader for R1

Mr.P.Paramasivadosh for R2 and R3

ORDER

The petitioner, having retired from service as Special Grade Conductor in the respondent Corporation on 31.10.2015, has filed this writ petition seeking a direction to the respondents to settle all the retirement benefits payable to him, as prayed for in the petition.

2.Learned counsel 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 Special Government Pleader and the Standing Counsel for the respondents, 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 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 petitioners for such non-payment of the instalments. With this direction, the writ petition is disposed of accordingly. No costs.

Speaking/Non speaking order
Index : yes/no
vga

13.04.2017

To

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T.RAJA, J.

vga

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