

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.7961 of 2017

K.Thangavelu

.. Petitioner

-vs-

1. The General Manager
Tamil Nadu State Transport
Corporation (Coimbatore) Limited
Chennimalai Road
Erode Regional Office
Erode

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 Pension Commutation and the surrender leave salary i.e. Earned leave balance as on 31.3.2016, by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed by this Hon'ble Court.

For Petitioner :: Mr.I.C.Vasudevan

For Respondents:: Mr.P.Kannankumar

ORDER

The petitioner has filed this writ petition seeking a mandamus to the respondents to disburse the payments relating to Pension Commutation and the surrender leave salary i.e. Earned leave balance as on 31.3.2016, by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016, within a stipulated time as may be fixed by this Hon'ble Court.

2. The petitioner retired from the services of the respondent Corporation as Junior Tradesman on 31.3.2016. His grievance is that the aforementioned retirement benefits have not been till date settled to him.

3. Mr.P.Kannankumar, learned standing counsel takes notice on behalf of the 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(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The General Manager
Tamil Nadu State Transport Corporation (Coimbatore) Limited
Chennimalai Road
Erode Regional Office, Erode
2. The Administrator
Tamil Nadu State Transport Corporation Employees Post
Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai 600 002

- + 1 cc to Mr.I.C. Vasudevan, Advocate SR.20430
+ 2 ccs to Mr.P.Kannan Kumar, Advocate SR.21002

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VGI(CO)

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