

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.1125 of 2017

P.Sakthivel

... Petitioner

vs

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

...Respondent

Writ Petition filed under Article 226 of Constitution of India, praying for issuance of a writ of Mandamus, to direct the respondent to disburse the payments relating to surrender Leave salary i.e Earned leave balance as on 30.06.2014, Earn leave balance as on 30.06.2014 and other monetary benefits by calculating D.A eligible as per newly implemented scheme, with interest at 12% per annum with effect from 1.7.2014 within a stipulated time.

For Petitioner : Mr.C.Vasudevan

For Respondent : Mr.P.Kannan Kumar

ORDER जयते

The petitioner has filed this writ petition for issuance of a writ of mandamus, to direct the respondent to disburse the payments relating to surrender Leave salary i.e Earned leave balance as on 30.06.2014, Earn leave balance as on 30.06.2014 and other monetary benefits by calculating D.A eligible as per newly implemented scheme, with interest at 12% per annum with effect from 1.7.2014 within a stipulated time.

2. Heard the learned counsel appearing for the petitioner. Mr.P.Kannan Kumar, learned Standing counsel takes notice on behalf of the respondent.

3. The petitioner joined the service in the Tamil Nadu State Transport Corporation on 26.02.1986 and he was retired from service on 30.06.2014 while working as a Senior Conductor in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits namely, surrender Leave salary i.e Earned leave balance as on 30.06.2014, Earn leave balance as on 30.06.2014 and all other attendant benefits etc., by calculating D.A eligible as per newly implemented scheme, with interest at 12% per annum with effect from 1.7.2014, have not been till date settled by the respondent.

4. Since the issue is squarely covered by 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 terminal benefits due and payable to the petitioner through twelve equal monthly installments carrying interest of 6% p.a. The installments should commence from June, 2017 and each of the installments should be paid on or before 7th of each month. In case of any delay in the payment of the installments, 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 installments. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The General Manager,
TamilNadu State Transport
Corporation limited(Coimbatore),
Erode Regional Office, Chennimalai Road,
Erode

+1cc to Mr.I.C.Vasudevan, Advocate, S.R.No.22223
+1cc to Mr.P. Kannan kumar, Advocate, S.R.No.23029

W.P No.1125 of 2017

rv(co)

rmp(10/05/17)