

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.2065 of 2017

Tamilarasan.K

... Petitioner

vs

Tamil Nadu State Transport
Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043
The Managing Director,

... Respondent

Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus to direct the respondent to pay the petitioner all his retirement benefits including, Gratuity, Leave Salary amount and all other benefits with interest at the rate of 18% per annum and the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent with in time frame that may be stipulated by this Hon,ble Court.

For Petitioner : Mr.A.Rajendiran
For Respondent : Mr.P.Kannan Kumar

O R D E R

The petitioner has filed this writ petition for issuance of a writ of mandamus, to direct the respondent to settle the terminal benefits of the petitioner namely, Gratuity and Leave Salary amount and all other benefits with interest at the rate of 18% per annum and the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of actual payment.

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 of the respondent

Corporation on 01.09.1981 and he retired from service on 31.03.2014 while working as a Senior Tradesman in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Gratuity and Leave Salary amount and all other benefits with interest at the rate of 18% per annum and the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of actual payment, have not been till date settled by the respondent Corporation. Hence, he has given a representation on 08.01.2017. But, till date no orders have been passed. Therefore, he has come forward with the present writ petition.

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 July, 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

/ TRUE COPY /

Sub-Assistant Registrar

To
The Managing Director.
Tamil Nadu State Transport
Corporation Ltd.,
37, Mettupalayam Road,
Coimbatore - 641 043

+1 cc to MR.P.KANNANKUMAR Advocate SR.NO. 26515

+1 cc to MR.A.RAJENDIRAN Advocate SR.NO. 26130

W.P Nos.2065 of 2017

vr[co]
RD 15/05/2017