

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.03.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.1157 of 2017

R. Sigamani

Petitioner

vs.

- 1 The Managing Director
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Vazhuthareddy
Villupuram - 605 602
 - 2 The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Villupuram Region
Villupuram.
 - 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai
Chennai 600 002
- Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, leave surrender for 240 days, D.A. arrears, pension arrears, CRBS amount, Surrender of Leave on private affairs and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.06.2015 within a stipulated time.

For petitioner
For respondents

Mr. J. Pradeep
Mr. R.K. Gandhi
Standing Counsel

ORDER

Mr. R.K. Gandhi, learned Standing Counsel, accepts notice for the respondents. With consent, this writ petition is taken up for final disposal at the admission stage itself.

2.This writ petition has been preferred seeking the

following relief:

"a writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, leave surrender for 240 days, D.A. arrears, pension arrears, CRBS amount, Surrender of Leave on private affairs and all other attendant benefits by calculating D.A. eligible as per newly implemented scheme with interest at 12% per annum with effect from 01.06.2015 within a stipulated time."

3. According to the petitioner, he, having joined as Conductor on 29.12.1983 in Thandai Periyar Transport Corporation, retired from service as Traffic Inspector on 31.05.2015, on attaining the age of superannuation; since he was not paid with retirement benefits, except Provident Fund and Social Welfare Fund, he addressed a representation dated 07.09.2015 to the first respondent seeking early disbursement of his retirement benefits, viz., Gratuity, Pension Commutation, leave surrender for 240 days, D.A. arrears, pension arrears, CRBS amount and Surrender of Leave on private affairs, which remains unconsidered, as a result of which, his family is reeling under poverty; further, similarly placed persons have been paid their retirement benefits on the basis of the direction given by this Court for the disbursement of the retirement benefits and hence, the present writ petition seeking the aforestated relief.

4. Considering the fact that the petitioner has retired as Traffic Inspector in the respondent-Transport Corporation and has addressed a representation dated 07.09.2015 to the first respondent seeking early disbursement of his retirement benefits which is still under consideration, this Court directs the first respondent to consider and pass orders on the petitioner's representation dated 07.09.2015 in the light of the order dated 12.06.2015 passed by a Division Bench of the Madurai Bench of Madras High Court in W.A.No.(MD)Nos.383 to 457 of 2015, [K.Rajendran and others Vs. Tamil Nadu State Transport Corporation, represented by its Managing Director, Madurai-10 and 3 others] and disburse the petitioner's retirement benefits, if any, provided, he has retired without any disciplinary proceedings pending against him, in 12 equal monthly instalments with the first instalment commencing from the first week of June 2017.

The writ petition stands disposed of with the above direction. Costs made easy.

sd/
Assistant Registrar

//True Copy//

Sub Assistant Registrar

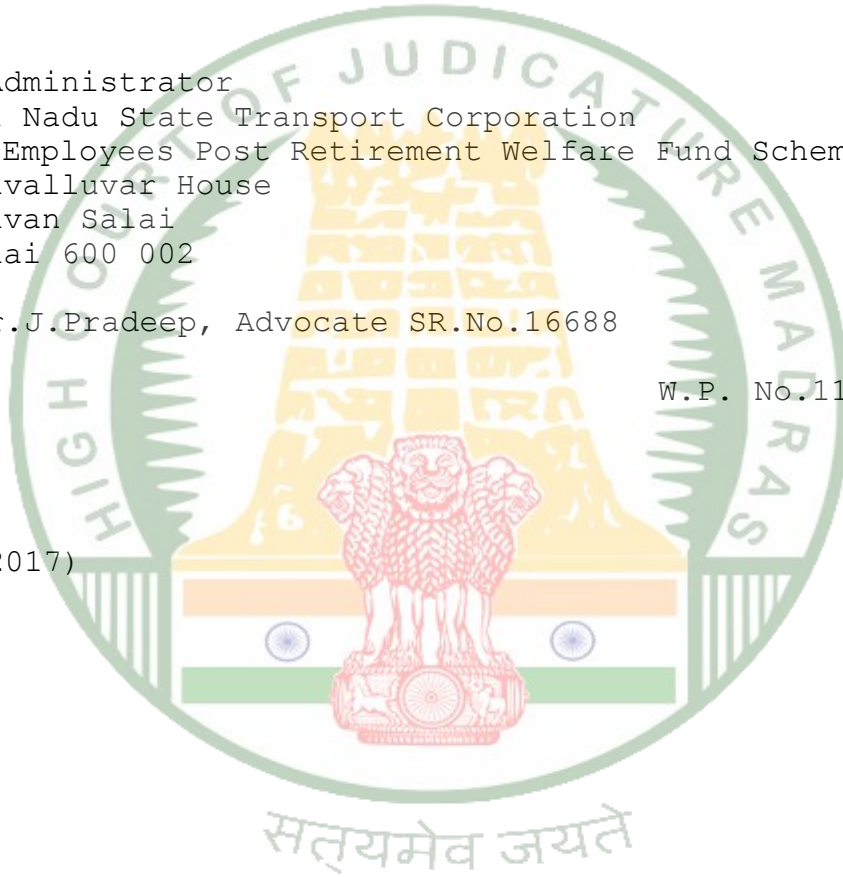
To

- 1 The Managing Director
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Vazhuthareddy
Villupuram - 605 602
- 2 The General Manager
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Villupuram Region
Villupuram.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House
Pallavan Salai
Chennai 600 002

+1cc to Mr.J.Pradeep, Advocate SR.No.16688

W.P. No.1157 of 2017

SKS (CO)
GN (27/03/2017)



WEB COPY