

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.1164 of 2017

K.Ramalingam

... Petitioner

vs

The Managing Director,
Tamil Nadu Transport Corporation Ltd.,
12, Ramakrishna Salai,
Salem - 636 007.

... Respondent

Writ Petition filed under Article 226 of Constitution of India to issue a Writ of Mandamus to direct the respondent to consider the petitioner's representation dated 05.01.2017 seeking retirement benefits namely, Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of salary amount and Dearness Allowance, Service benefits, Pension, Bonus, Society Fund, Security Fund, surrendered medical leave accrued in his credit so far.

For Petitioner : Mr.A.Ganesan

For Respondent : Mr.P.Kannan Kumar

सत्यमेव जयते

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, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of salary amount and Dearness Allowance, Service benefits, Pension, Bonus, Society Fund, Security Fund, surrendered medical leave accrued in his credit so far.

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 18.05.1985 and he retired from service on 30.11.2016 while working as a Assistant Manager in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of salary amount and Dearness Allowance, Service benefits, Pension, Bonus, Society Fund, Security Fund, surrendered medical leave accrued in his credit so far, have not been till date settled by the respondent Corporation. Hence, he has given representations on 30.12.2016 & 05.01.2017. 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.

s/d-
Assistant Registrar(CS-VI)

True Copy

Sub-Assistant Registrar

To

The Managing Director,
Tamil Nadu Transport Corporation Ltd.,
12, Ramakrishna Salai,
Salem - 636 007.

+1 CC to M/s. P. Kannan Kumar, Advocate sr 26517

+1 CC to A. Ganesan, Advocate sr 36626

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