

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T. RAJA

W.P.No.11831 of 2017

Nandakumar K.

... Petitioner

Vs.

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

... Respondent

Petition filed under Article 226 of The Constitution of India, praying for the issuance of Writ of Mandamus to direct the respondent to pay petitioner all his retirement benefits including Provident Fund, Gratuity, IRT deposit Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Hon'ble Court and to grant him 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.

For Petitioner .. Mr.A.Rajendiran

For Respondent .. Mr.P.Kannan Kumar

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, to direct the respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, IRT deposit 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 within the time frame.

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 01.01.1981 and he retired from service on 31.11.2016 while working as a Special Grade Conductor in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Provident Fund, Gratuity, IRT deposit 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, have not been till date settled by the respondent Corporation. Hence, he has given a representation on 12.04.2017. 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/-

सत्यमेव जयते
Assistant Registrar

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Sub Assistant Registrar

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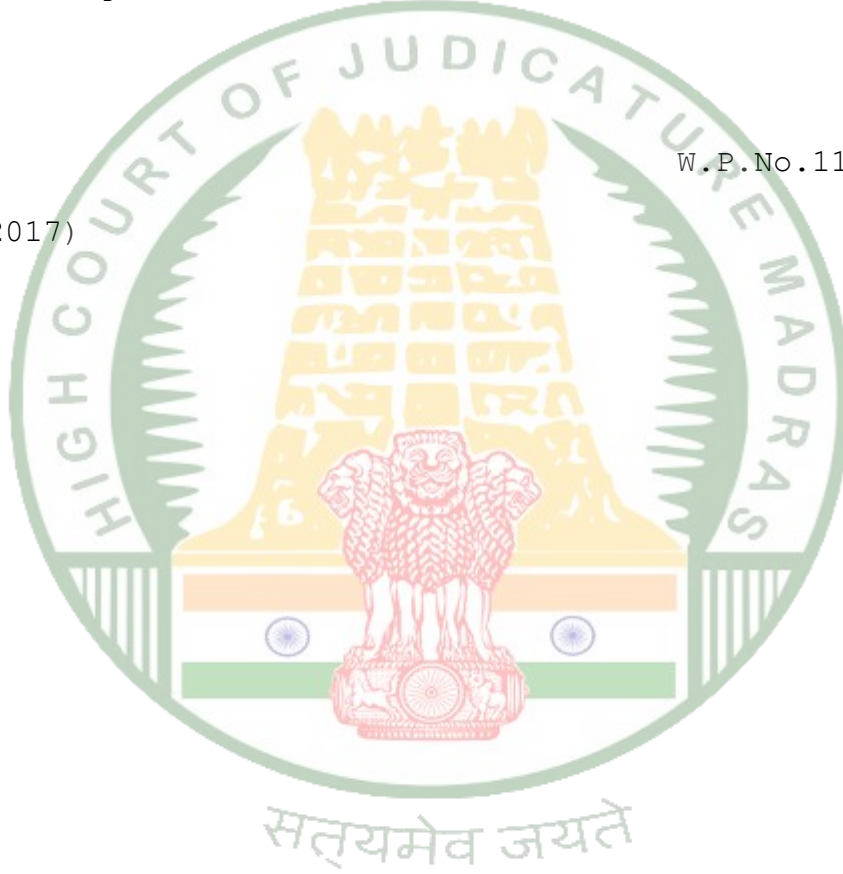
To

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

+1cc to Mr.V.Rajendiran, Advocate, S.R.No.39307

SSI (CO)
RS (22/06/2017)

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