

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T. RAJA

W.P.No.11853 of 2017

V.M.Appusamy

... Petitioner

Vs.

The General Manager,
Tamilnadu State Transport Corporation
Ltd, (Coimbatore), Chennimalai Road,
Erode.

... Respondent

Petition filed under Article 226 of The Constitution of India, praying for the issuance of a Writ of Mandamus to direct the respondent to disburse the Surrender Leave Salary i.e., Earned Leave balance as on 31.01.2015 and other retiral benefits with interest at 12% per annum with effect from 01.02.2015 within stipulated time as may be fixed by this Hon'ble Court.

For Petitioner ... Mr.I.C.Vasudevan

For Respondent .. Mr.P.Kannan Kumar
for Transport Corporation

सत्यमेव जयते
ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, to direct the respondent to disburse the Surrender Leave Salary i.e., Earned Leave balance as on 31.01.2015 and other retiral benefits with interest at 12% per annum with effect from 01.02.2015 within stipulated time as may be fixed by this Hon'ble Court.

2. Heard the learned counsel appearing for the petitioner. Mr.P.Kannan Kumar, learned Standing counsel taking notice on behalf of the respondent sought time to consider the petitioner's representation dated 17.04.2017.

3. The petitioner joined the service of the respondent Corporation on 18.12.1989 and he retired from service on 31.01.2015 while working as a Senior Trademan 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 31.01.2015 and other retiral benefits with interest at 12% per annum with effect from 01.02.2015, have not been till date settled by the respondent Corporation. Hence, he has given a representation on 17.04.2017. 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/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

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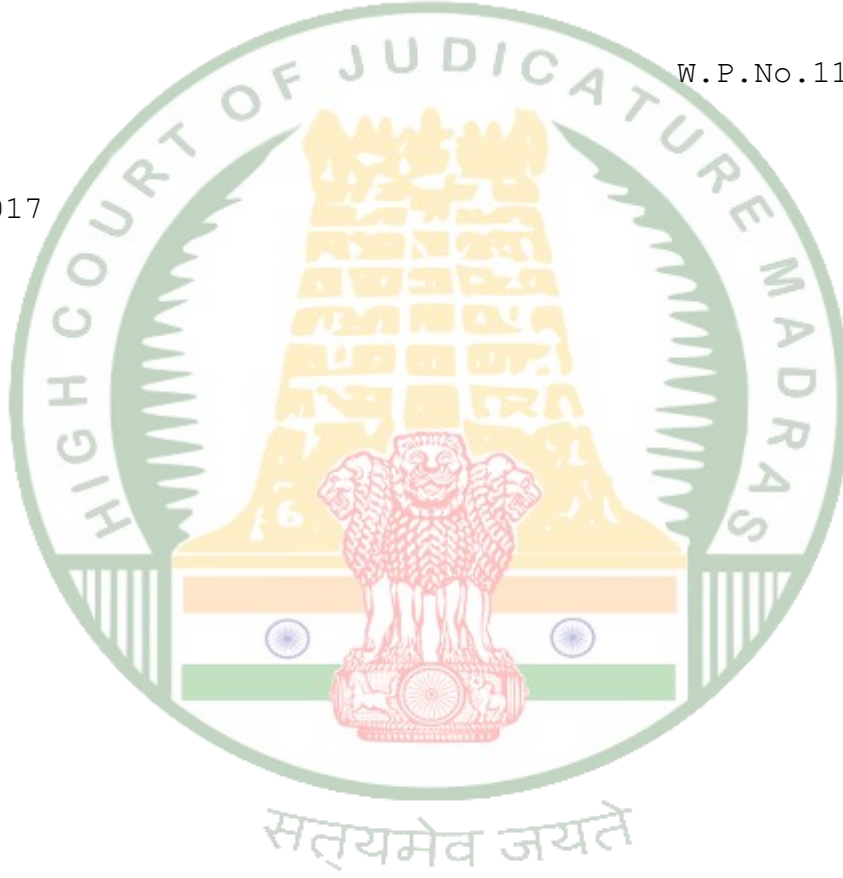
To

The General Manager,
Tamilnadu State Transport Corporation
Ltd, (Coimbatore) Chennimalai Road,
Erode

+1 cc to M/s.I.C.Vasudevan Advocate sr 38267

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