

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.06.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.11894 & 11895 of 2017

M.Kandasamy ..Petitioner in W.P.No.11894 of 2017
P.Lakshmanan ..Petitioner in W.P.No.11895 of 2017

-VS-

1. The Managing Director
Tamil Nadu State Transport
Corporation
12, Ramakrishna Road
Salem 636 007
2. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust
Thiruvalluvar House, Pallavan Salai
Chennai 600 002 ..Respondents in both the writ
petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to disburse to the petitioners, their legitimate entitlements of terminal benefits viz., Provident Fund, Gratuity, Pension Commutation, Family Welfare Fund balance ERBS Pension arrears, surrender leave salary earned leave balance as on 30.06.2014 & 28.02.2013 respectively, balance dearness allowance and surrender medical leave salary, calculating D.A.eligible as per newly implemented scheme and other terminal benefits payable to them with interest at 18% per annum with effect from 01.07.2014 & 01.03.2013 respectively, within the stipulated time to be fixed by this Court.

For Petitioners :: Mr.K.Selvakumar
For Respondents :: Mr.R.K.Gandhi

ORDER

The petitioners, having retired from the services of the respondent Transport Corporation in the post of Selection Grade Conductor/Selection Grade Senior Conductor on 30.6.2014 & 28.2.2013 respectively, have approached this Court seeking a

mandamus to the respondents to disburse all the terminal benefits payable to them viz., Provident Fund, Gratuity, Pension Commutation, Family Welfare Fund balance ERBS Pension arrears, surrender leave salary earned leave balance as on 30.06.2014 & 28.02.2013 respectively, balance dearness allowance and surrender medical leave salary, calculating D.A.eligible as per newly implemented scheme and other terminal benefits payable to them with interest at 18% per annum with effect from 01.07.2014 & 01.03.2013 respectively, within the stipulated time to be fixed by this Court.

2. Mr.R.K.Gandhi, learned standing counsel for the Transport Corporation submitted that since there has been a direction issued by the Hon'ble Division Bench in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 directing the Corporation to disburse all the retiral benefits in twelve equal monthly instalments with 6% interest per annum, a similar direction may be issued in these writ petitions also.

3. This Court, recording the statement made by the learned standing counsel for the respondents, taking note 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) directing the respondents to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondents to settle the aforementioned retirement benefits due and payable to the petitioners through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from July, 2017 and each of the instalments should be paid on or before 7th of each month. In case of any delay in the payment of the instalments, the interest payable would become 18% p.a. for the delayed period apart from any other remedy which may be available to the petitioners for such non-payment of the instalments. With this direction, the writ petitions are disposed of accordingly. No costs.

-s/d-

Assistant Registrar(CSV)

True Copy

Sub-Assistant Registrar

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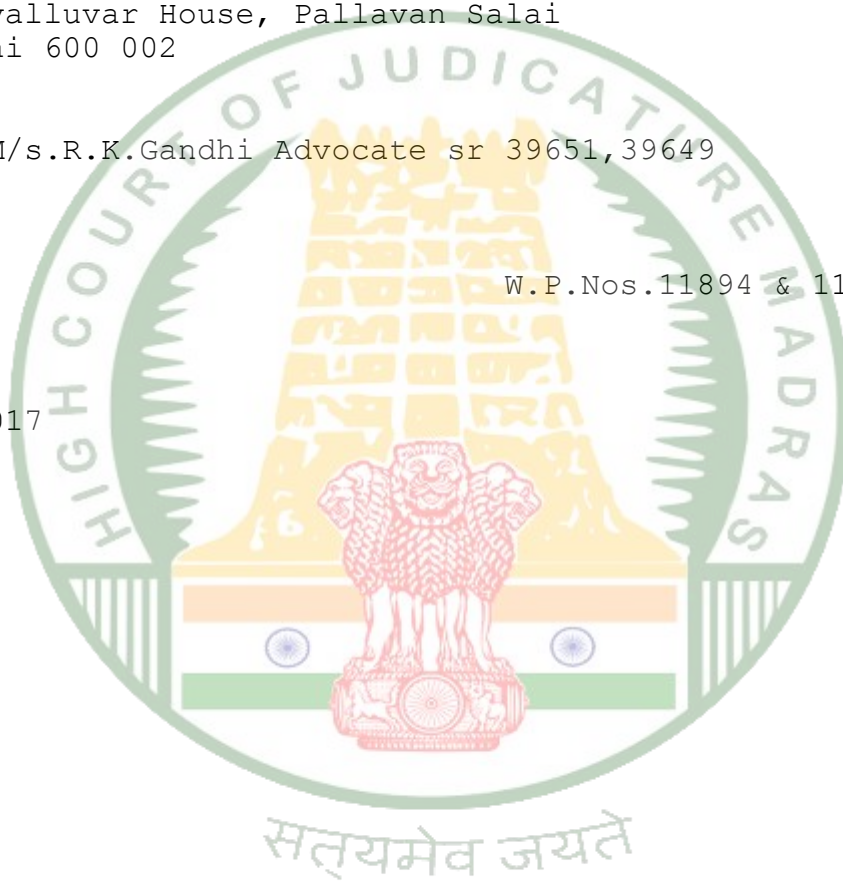
To

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2. The Administrator
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Chennai 600 002

+2 cc to M/s.R.K.Gandhi Advocate sr 39651,39649

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