

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.1299 of 2017

M. Chinnamani

Petitioner

vs.

State Express Transport Corporation Ltd.
represented by its Managing Director
No.2, Pallavan Salai
Chennai 600 002

Respondent

Writ Petition under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondent to settle the petitioner's terminal benefits, viz., Surrender of 157 days of Earned Leave, 38.5 days of Medical Leave amount to Rs.2,08,533/- with interest at the rate of 6% per annum taking into consideration the petitioner's representation dated 09.01.2017.

For petitioner

Mr. D. Soundar Raj

For respondent

Mr. P. Kannan Kumar
Standing Counsel

ORDER

Mr. P. Kannan Kumar, learned Standing Counsel, accepts notice for the respondent. With consent, this writ petition is taken up for final disposal.

2 The petitioner, having voluntarily retired from service as Office Superintendent in the respondent Corporation on 05.05.2011, has filed this writ petition seeking writ of mandamus directing the respondent to settle his terminal benefits, viz., Surrender of 157 days of Earned Leave and 38.5 days of Medical Leave amounting to Rs.2,08,533/- with interest at the rate of 6% per annum, taking into consideration, his representation dated 09.01.2017.

3 The learned Standing Counsel for the Transport Corporation submitted that since there has been a direction issued by a Division Bench of this Court in identical cases in W.A.(MD) Nos.383 to 457 of 2015 [K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited, represented by its Managing Director, Madurai and others] vide

judgment dated 12.06.2015 directing the Transport Corporation to disburse all the retiral benefits in 12 equal monthly instalments with 6% interest per annum, a similar direction may be issued in this writ petition as well.

4 This Court, recording the statement made by the learned Standing Counsel for the respondent Corporation and taking note of the judgment dated 12.06.2015 of the Division Bench in W.A. (MD) Nos.383 to 457 of 2015 referred to above, directing the respondents therein to settle the retirement benefits of the appellants therein in 12 equal monthly instalments with 6% interest per annum, hereby directs the respondents to settle the entire retirement benefits due and payable to the petitioner in 12 equal monthly instalments with interest at the rate of 6% p.a. The instalments shall commence from July, 2017 and each of the instalments shall be paid on or before 7th of each month. In case of any delay in payment of instalments, 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 instalments.

With the above direction, this writ petition stands disposed of. Costs made easy.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

cad

To

The Managing Director
State Express Transport Corporation Ltd.
No.2, Pallavan Salai
Chennai 600 002

+1cc to Mr.P. Kannan Kumar, Advocate Sr. 25939

+1cc to Mr.D. Soundaraj, Advocate Sr. 26147

W.P.No.1299 of 2017

PA(CO)
VR(10/5/2017)