

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.134 of 2017

R.Sivaraj

.. 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 issuance of a Writ of Mandamus, directing the respondent to pay the petitioner all his retirement benefits including, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this 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 within the time frame that may be stipulated by this Court.

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, directing the respondent to pay him all his retirement benefits including, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this 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 within the time frame that may be stipulated by this Court.

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 services of the respondent Corporation as a Company Apprentice (Clerical) with effect from

18.08.1982 and he was retired from service on 30.06.2013 on attaining the age of superannuation while working as Senior Assistant in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Gratuity, Leave Salary Amount and all other benefits etc., have not been till date settled by the respondent.

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 respondents to settle the entire terminal benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from June, 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 petitioner for such non-payment of the instalments. No costs.

Sd/-

Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

vga

To

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

+1cc to Mr.A.Rajendiran,Advocate sr.21431

+1cc to Mr.P.KannanKumar, Advocate sr.21652

W.P.No.134 of 2017

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