

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.06.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.13747 of 2017

K. Selvaraju

... Petitioner

Vs.

1.The Principal Secretary to Government
Transport Department
Secretariat
Fort St. George
Chennai 600 009

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

3.The Administrator
Tamil Nadu State Transport Corporation Employees
Pension Trust
Thiruvalluvar House
Pallavan Salai
Chennai 600 002

... Respondents

Writ Petition under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to pay the petitioner, all his retirement benefits including Gratuity, leave salary amount, part commutation amount and all other benefits with interest at the rate of 18% per annum within a time frame and to grant him interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement till the date of settlement by the respondents within a time frame.

For petitioner : Mr. A. Rajendiran

For respondents : Mr. P. Kannan Kumar
Standing Counsel

ORDER

Mr. P. Kannan Kumar, learned Standing Counsel, accepts notice for the respondents. With consent, this writ petition is taken up for final disposal, at the admission stage itself.

2. This writ petition has been filed seeking a writ of mandamus directing the respondents to pay the petitioner, all his retirement benefits including Gratuity, leave salary amount, part commutation amount and all other benefits with interest at the rate of 18% per annum within a time frame and to grant him interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement till the date of settlement by the respondents within a time frame, taking into consideration, his representation dated 25.09.2015.

3. Today, when the matter was taken up for hearing, it was brought to the notice of this Court that Gratuity amount has been paid to the petitioner.

4. 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.

5. 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/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

cad

To

1.The Principal Secretary to Government
Transport Department
Secretariat
Fort St. George
Chennai 600 009

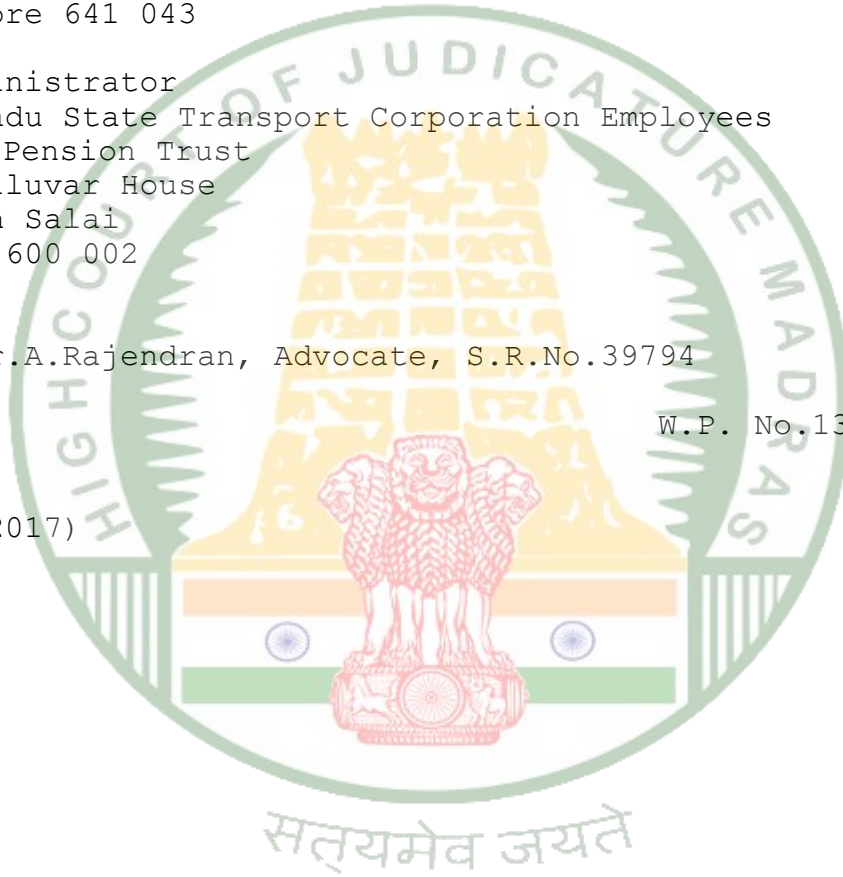
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+1cc to Mr.A.Rajendran, Advocate, S.R.No.39794

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LRS (CO)
CA(20/06/2017)



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