

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA.

Writ Petition No.14295 of 2017

K.Palaniappan

... Petitioner

vs

The Managing Director,
Tamil Nadu State Transport
Corporation(Salem) Limited,
No.12, Ramakrishna Road,
Salem-636 007.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the respondent to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 30.04.2016, in view of petitioner's representation dated 17.03.2017 within a stipulated time.

For Petitioner : Mr.G.Peranban

For Respondent : Mr.R.K.Gandhi, Standing counsel

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, to direct the respondent to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 30.04.2016, in view of petitioner's representation dated 17.03.2017 within a stipulated time.

2. Heard the learned counsel appearing for the petitioner. Mr.R.K.Gandhi, learned Standing counsel, taking notice on behalf of the respondent sought time to consider the petitioner's representation dated 17.03.2017.

3. The petitioner joined the service of the respondent Corporation on 10.06.1985 and he retired from service on 30.04.2016 while working as a Helper in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits namely, Provident Fund, Gratuity, Salary

Arrears, Commutation, Pension Arrears, Dearness Allowance and EBRs amount and the other pending retirement benefits with interest at 12% per annum with effect from 30.04.2016, have not been till date settled by the respondent Corporation. Hence, he has given a representation on 17.03.2017 to the respondent Corporation. 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

//True Copy//

Sub Assistant Registrar

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To

The Managing Director,
Tamil Nadu State Transport
Corporation(Salem) Limited,
No.12, Ramakrishna Road,
Salem-636 007.

+1cc to Mr.G.Peranban, Advocate, S.R.No.40230
+1cc to Mr.R.K.Gandhi, Advocate, S.R.No.41833

W.P No.14295 of 2017

CS/21/06/17