

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No16016 of 2017

A.Arunmozhi

.. Petitioner

-vs-

- 1.The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
No.12, Ramakrishna Road,
Salem - 636 007.
- 2.The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Dharmapuri Region,
Dharmapuri - 636 705.
- 3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavansalai,
Chennai - 2.

..Respondents

Prayer :- Petition under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus to direct the respondents to disburse the payments relating to Provident Fund, Interest amount for gratuity, pension commutation, leave encashment (earned leave), Thrift amount, ERBS amount, IRT amount, D.A. Arrears, Social Welfare Fund and all other attendant benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances allso, with interest at 12% per annum with effect from 01.04.2017 within the stipulated time.

For Petitioners :: Mr.J.Pradeep
For R1 & R2 :: Mr.R.K.Gandhi
For R3 :: Mr.P.Paramasivadoss

COMMON ORDER

By way of filing this writ petition, the petitioner seeks a direction to the respondents to settle his retirement benefits i.e Provident Fund, Gratuity, Earned Leave, etc.

2. Heard the learned counsel for the petitioner. Mr.R.K.Gandhi, learned counsel, takes notice for the respondents 1 and 2 and Mr.P.Paramasivadoss, learned counsel, takes notice for the third respondent.

3. The petitioner joined as Driver on 21.11.1986 and after rendering 31 years of unblemished service, he retired from service on 31.03.2017 on attaining the age of superannuation.

4. Now, the only grievance of the petitioner is that his retirement benefits, namely, gratuity, commutation, leave salary, etc., have not been till date settled by the respondents.

5. Since the issue is squarely covered by the 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 petitions 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 September, 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. No costs.

Sd/-
Assistant Registrar(CS III)

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Sub Assistant Registrar

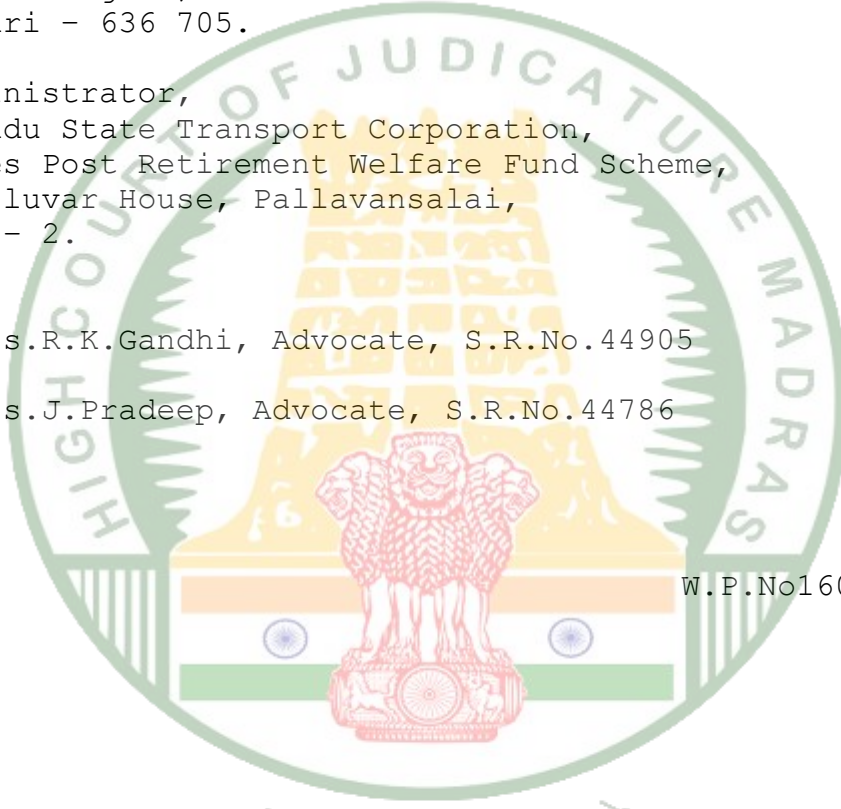
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To

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+1cc to M/s.R.K.Gandhi, Advocate, S.R.No.44905

+1cc to M/s.J.Pradeep, Advocate, S.R.No.44786



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RV(CO)
CU(10/07/2017)

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