

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.1679 of 2017

S.Jayakumar

.. Petitioner

-vs-

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

2.The Administrator,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002 ..Respondents

Prayer:- Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus to direct the respondents to settle all the terminal benefits due and payable to the petitioner with interest at 12% per annum with effect from 01.06.2016 within the time stipulated by this Court.

For Petitioner :: Mr.A.Selvaraju

For Respondents :: Mr.R.K.Gandhi

ORDER

The petitioner has filed this writ petition seeking a direction to the respondent 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 on behalf of the respondents.

3. The petitioner joined as Tradesman on 31.09.1981 in the respondent Corporation and after rendering 35 years of

unblemished service, he retired from service on 31.05.2016 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 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 instalments carrying interest of 6% p.a. The instalments should commence from July, 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

/true copy/

Sub Asst. Registrar

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To

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

2.The Administrator,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 636 007.

+lcc to Mr.a. Selvaraju, Advocate Sr. 25874

+lcc to Mr.R.K.Gandhi, Advocate Sr. 25967

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PA(CO)
VR(16/5/2017)