

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P. No.1890 of 2017

C. Thangaraju

.. Petitioner

vs.

1. State of Tamil Nadu
represented by its Principal Secretary to Government
Transport Department
Secretary, Chennai - 600 009
2. Tamil Nadu State Transport Corporation (Salem) Ltd.
represented by its Managing Director
No.12, Ramakrishna Road, Salem - 7 .. Respondents

Writ Petition under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 1 and 2 to forthwith pay to the petitioner herein arrears of salary, difference in pension and retirement benefits, viz., Gratuity and Commutation as per the revised settlement dated 01.09.2013 and all other monetary benefits with interest at the rate of 18%.

For petitioner : Mr. V.R. Rajasekaran

For R1 : Mr. T.M. Pappiah
Special Government Pleader

For R2 : Mr. R.K. Gandhi
Standing Counsel

ORDER

Mr. T.M. Pappiah, learned Special Government Pleader, accepts notice for the first respondent. Mr. R.K. Gandhi, learned Standing Counsel, accepts notice for the second respondent. With consent, this writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner, having retired from service in the respondent Corporation on 28.02.2013 as Selection Grade Driver,

has filed this writ petition seeking a writ of mandamus directing the respondents 1 and 2 to forthwith pay to the petitioner herein, arrears of salary, difference in pension and retirement benefits, viz., Gratuity and Commutation as per the revised settlement dated 01.09.2013 and all other monetary benefits with interest at the rate of 18%.

3. The learned Standing Counsel for the respondent 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 retirement benefits in 12 equal monthly instalments with 6% interest per annum, a similar direction may be issued in this writ petition as well.

4. 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 August, 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(CCC)

//True Copy//

Sub Assistant Registrar

cad

To

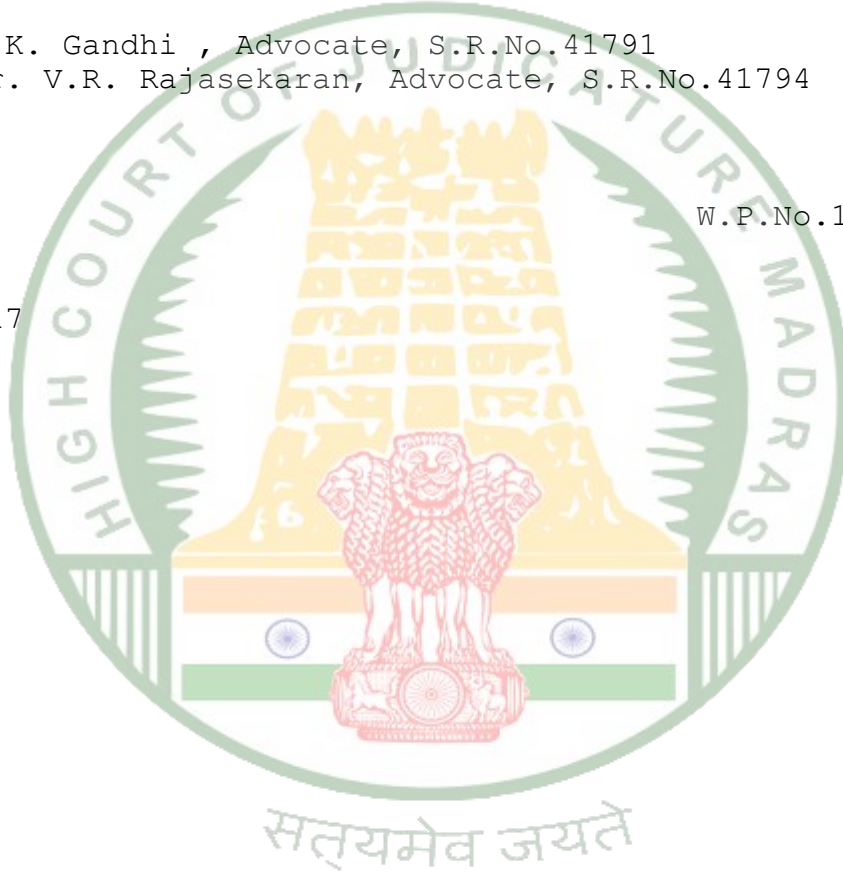
1. The Principal Secretary to Government
Transport Department
Government of Tamil Nadu
Secretary
Chennai - 600 009
2. The Managing Director
Tamil Nadu State Transport Corporation (Salem) Ltd.
No.12, Ramakrishna Road
Salem - 7

+1cc to R.K. Gandhi , Advocate, S.R.No.41791

+1cc to Mr. V.R. Rajasekaran, Advocate, S.R.No.41794

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RSI (CO)
CS/30/06/17



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