

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.29637 of 2017

P.Madhavan

..Petitioner

-vs-

The Tamilnadu State Transport
Corporation Coimbatore Division I
rep. by its Managing director,
No.37, Mettupalayam Road,
Coimbatore

..Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondent to settle all retirement benefits to the petitioner with interest and to pay interest for the delayed payments made to the petitioner in respect of gratuity, leave surrender etc., and to pay the loan amount deducted from the salary towards home loan of the petitioner along with interest.

For Petitioner : Mr.Venkataswamy Babu

For Respondent : Mr.P.Kannankumar

ORDER

The petitioner retired as a Senior Tradesman from the office of the respondent with effect from 31.03.2014 on attaining the age of superannuation. After petitioner joined the service on 03.01.1986, he has rendered unblemished service. Therefore, he was permitted to retire without any black mark, but the respondent has not till date disbursed any retirement benefits, for which, the petitioner has given a representation on 26.06.2017, but the same has not been considered, hence this Writ Petition.

2. Mr.P.Kannankumar, learned counsel for the respondent submitted that since there has been a direction issued by the Hon'ble Division Bench in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 directing the Corporation to disburse all the retiral benefits in twelve equal monthly instalments with 6% interest per annum, a similar direction may be issued in this writ petition also.

3. This Court, recording the statement made by the learned counsel for the respondent, taking note 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) directing the respondents to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondent to settle the entire retirement benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from January, 2018 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. With this direction, the writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ssd

To,

Managing director,
The Tamilnadu State Transport
Corporation Coimbatore Division I
No.37, Mettupalayam Road,
Coimbatore.

+1cc to Mr.Venkatasamy Babu, Advocate, S.R.No.82278

+1cc to Mr.P.Kannankumar, Advocate, S.R.No.82393

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RRK(18/12/2017)