

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.04.2017

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THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.43368 of 2016

A.Shanmugam

.. Petitioner

-VS-

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vazhuthareddy,
Villupuram-605 602.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Thiruvannamalai Region,
Thiruvannamalai-606 604.

3.The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Ltd.,
Vellore Region,
Vellore-632 009.

.. Respondents

Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to disburse the payments relating to Gratuity, ERBS Pension, D.A. Arrears and All other Retirement Benefits Amount by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.05.2013 within the stipulated time as may be fixed by this Court.

For Petitioner

::

Mr.G.Sakthivel

For Respondent :: Mr.P.Kannan Kumar

ORDER

The petitioner, having retired from service as Special Grade Senior Security Guard in the respondent Corporation on 30.04.2013, has filed this writ petition seeking a direction to the respondent to settle all the retirement benefits payable to him, as prayed for in the petition.

2.Mr.P.Kannan Kumar, learned Standing Counsel appearing for the Transport Corporation 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 retirement 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 Standing Counsel appearing 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 respondent 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 June, 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. With this direction, the writ petition is disposed of accordingly. No costs.

Speaking/Non speaking order

11.04.2017

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Index : yes/no
vga

To

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T.RAJA, J.

vga

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