

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.43418 of 2016

C.K.Arumugam

.. Petitioner

-vs-

1. The Government of Tamil Nadu,
Rep. By its Secretary,
Transport Department,
Fort St. George,
Chennai - 9.
 2. The Management of Tamil Nadu
State Transport Corporation (Kovai) Ltd.,
Rep. By its Managing Director,
Coimbatore.
 3. The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 636 002.
- ..Respondents

Prayer:- Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus to direct the second respondent to pay the petitioner Rs.3,06,264/- towards Leave Salary, Rs.91,422/- towards encashment of Leave on personal affairs and Rs.70,039/- towards balance of gratuity, together with 18% interest per annum, along with interest amount towards delayed payment of part of the gratuity amount of Rs.4,69,666/- for the period from 30.04.2011 to 12.01.2013 and further direct the respondents 2 and 3 to pay him interest amount towards the delayed payment of pension commutation amount Rs.3,13,310/- for the period from 01.05.2011 to 12.09.2012 at the rate of 18% interest.

For Petitioner	::	Mr.V.Ajoykhose
For R1	::	Mr.V.Jayaprakashnarayanan, Spl.GP
For R2&R3	:	Mr.P.Paramasivadosh

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.V.Jayaprakash Narayanan, learned Special Government Pleader, takes notice for the first respondent and Mr.P.Paramasivadosh, learned counsel, takes notice for the respondents 2 and 3.

3. The petitioner joined as Junior Assistant on 16.10.1980 in the respondent Corporation and after rendering 31 years of unblemished service, he retired from service on 30.04.2011 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

rkm

To

1. The Secretary,
Transport Department,
Fort St. George,
Chennai - 9.

2. The Management of Tamil Nadu
State Transport Corporation (Kovai) Ltd.,
Rep. By its Managing Director,
Coimbatore.

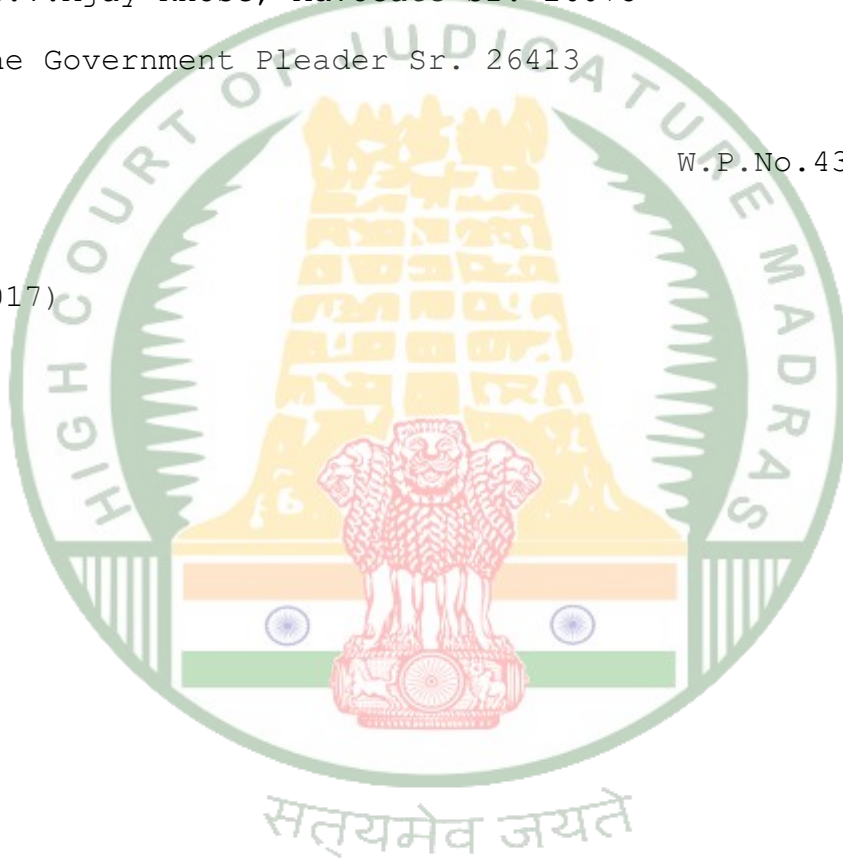
3. The Administrator,
Tamil Nadu State Transport Employees'
Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 636 002.

+1cc to Mr.V.Ajay Khose, Advocate Sr. 26075

+1cc to the Government Pleader Sr. 26413

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



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