

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.04.2017

CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.43972 of 2016

R. Duraisamy

...Petitioner

vs.

- 1 The Principal Secretary to Government  
Transport Department  
Fort St. George  
Chennai 600 009
  - 2 The Managing Director  
Tamil Nadu State Transport Corporation (CBE) Ltd.  
37 Mettupalayam Road  
Coimbatore 641 043
  - 3 The Administrator  
Tamil Nadu State Transport Corporation  
Pension Fund Trust  
Thiruvalluvar House  
Pallavan Salai  
Chennai 600 002
- ...Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents 2 and 3 to disburse the retirement benefits of gratuity of Rs.4,50,000/-, Earned Leave Surrender salary of Rs.10,000/- and pension commutation amount of Rs.2,50,000/-, totally Rs.7,10,000/- (Rupees Seven lakhs ten thousand only), with 18% interest on delayed payment to the petitioner staff no. J 05548 who has retired from service on 31.05.2014 as Selection Grade Conductor in the second respondent's office.

For petitioner Mr. D. Veerasekaran

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

For RR 2 & 3 Mr. P. Kannan Kumar  
Standing Counsel

## ORDER

Mr. T.M. Pappiah, learned Special Government Pleader, accepts notice for the first respondent. Mr. P. Kannan Kumar, learned Standing Counsel, accepts notice for respondents 2 and 3. With consent, this writ petition is taken up for final disposal.

2 The petitioner, having retired from service as Selection Grade Conductor in the respondent Corporation on 31.05.2014, has filed this writ petition seeking a writ of mandamus directing the respondents 2 and 3 to disburse his retirement benefits of gratuity of Rs.4,50,000/-, Earned Leave Surrender salary of Rs.10,000/- and pension commutation amount of Rs.2,50,000/- with 18% interest p.a.

3 The learned Standing Counsel for the 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 the retiral benefits of the appellants therein 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 Transport 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 2 and 3 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 July, 2017 and each of the instalments shall be paid on or before 7<sup>th</sup> 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

//True Copy//

Sub Assistant Registrar

cad

To

- 1 The Principal Secretary to Government  
Transport Department  
Fort St. George  
Chennai 600 009
- 2 The Managing Director  
Tamil Nadu State Transport Corporation (CBE) Ltd.  
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- 3 The Administrator  
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Thiruvalluvar House  
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Chennai 600 002

+1cc to Mr.Veerasekaran, Advocate, S.R.No.25366  
+1cc to the Government Pleader, S.R.No.25664

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VD(CO)  
RS(05/05/2017)

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