

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.04.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA.

Writ Petition No.44681 of 2016

K.Asokan

... Petitioner

vs

M/s.State Express Transport Corporation Ltd.,
Rep.by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002.

... Respondent

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus to direct the Respondent to settle the terminal benefits of the petitioner namely, Gratuity amount of Rs.9,24,106/-, Earned Leave amount to the extent of 29.5 days, surrender amount of Rs.46,806/-, Social Security Scheme amount of Rs.35,000/-, Erode Engineering and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.10,10,413/- with interest at the rate of 6% per annum taking into consideration of petitioners representation dated 16.12.2016.

For Petitioner : Mr.D.Soundarraaj

For Respondent : Mr.P.Kannan Kumar

ORDER

The petitioner has filed this writ petition for issuance of a writ of mandamus, to direct the Respondent to settle the terminal benefits of the petitioner namely, Gratuity amount of Rs.9,24,106/-, Earned Leave amount to the extent of 29.5 days, surrender amount of Rs.46,806/-, Social Security Scheme amount of Rs.35,000/-, Erode Engineering and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.10,10,413/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 16.12.2016.

2. Heard the learned counsel appearing for the petitioner. Mr.P.Kannan Kumar, learned Standing counsel taking notice on behalf of the respondent and sought time to consider the petitioner's representation dated 16.12.2016.

3. The petitioner joined the service of the respondent Corporation on 10.04.1981 and he retired from service on 31.10.2016 while working as a Selection Grade Senior Tradesman in the respondent Corporation. Now the grievance of the petitioner is that his retirement benefits, namely, Gratuity amount of Rs.9,24,106/-, Earned Leave amount to the extent of 29.5 days, surrender amount of Rs.46,806/-, Social Security Scheme amount of Rs.35,000/-, Erode Engineering and Perundurai Medical College refund amount of Rs.4,500/- altogether a sum of Rs.10,10,413/- with interest at the rate of 6% per annum, have not been till date settled by the respondent Corporation. Hence, he has given a representation on 16.12.2016. But, till date no orders have been passed. Therefore, he has come forward with the present writ petition.

4. Since the issue is squarely covered by 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 installments carrying interest of 6% p.a. The installments should commence from July, 2017 and each of the installments should be paid on or before 7th of each month. In case of any delay in the payment of the installments, 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 installments. No costs.

-Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar

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To

The Managing Director,
M/s.State Express Transport Corporation Ltd.,
No.2, Pallavan Salai,
Chennai - 600 002.

BR (CO)
ADD 11.05.2017

W.P No.44681 of 2016



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