



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2017

CORAM:

**THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM
AND
THE HONOURABLE MR.JUSTICE P.VELMURUGAN**

C.M.P (MD) .No.5866 of 2016
in
W.A (MD) No.SR 20090 of 2016
and
W.A (MD) No.SR 20090 of 2016

The Managing Director,
Tamil Nadu State Transport
Corporation (Madurai) Limited,
By-pass Road,
Madurai-625 016.

... Appellant/1st Respondent

Vs.

1. S.Subramani

... 1st Respondent/Petitioner

2. The General Manager,
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Dindigul Region,
Collectorate (P.O)
Dindigul-624 004.

... 2nd Respondent/2nd Respondent

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-600 002.

... 3rd Respondent/3rd respondent

(The 2nd Respondent is a part of
the appellant Corporation and
hence given up)

PRAYER in C.M.P (MD) No.5866 of 2016: Petition has been filed Under Section 5 of the Limitation Act, to condone the delay of 88 days in filing the above writ appeal against the order dated 04.12.2015 in W.P (MD) No.21578 of 2015.

Prayer in W.A (MD) Sr.No.20090 of 2016:- Writ Appeal is filed under Clause 15 of Letters Patent Act against the order, dated 04.12.2015, made in W.P (MD) No.21578 of 2015.

**Prayer in WP(MD). 21578/ 2015 :**

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to settle the terminal benefits such as Pension, Gratuity, Employees Benefit Relief Fund and other retirement benefits along with 18% interest from the date of retirement on 31.7.2014 within the stipulated period and to pass such other or further orders as this Hon'ble Court.

For Petitioner : Mr.A.P.Muthupandian

For R1 : Mr.S.Govindan

For R3 : Mr.K.Sathiyasing

ORDER**[Judgment of the Court was delivered by T.S.SIVAGNANAM,J]**

Heard Mr.A.P.Muthupandian, learned counsel appearing for the petitioner, Mr.S.Govindan, learned counsel appearing for the first respondent and Mr.K.Sathiyasing, learned counsel appearing for the third respondent.

2. This petition has been filed to condone the delay of 88 days in filing the writ appeal against the order, dated 04.12.2015 made in W.P(MD)No.21578 of 2015.

3.The writ petition itself was filed seeking for pensionary benefits till the writ petition filed by the Management challenging the award of the Labour is disposed of. The said writ petition in W.P.(MD)No.545 of 2011 has been dismissed. In the light of the same, nothing further survives in the writ appeal. Further, we direct the petitioner Corporation to settle the eligible retirement benefits to the petitioner in 12 equal installments along with admissible interest.

4.In view of the above observation, C.M.P(MD)No.5866 of 2016 is disposed of. Consequently, W.A.(MD)No.SR 20090 of 2016 is closed.

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar



To

1. The General Manager
Tamil Nadu State Transport
Corporation (Madurai) Limited,
Dindigul Region,
Collectorate (P.O)
Dindigul-624 004.
2. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai-600 002.

AM/DAS

TE/JC/SAR-IV : 20/07/2017 : 3P/3C

C.M.P (MD) .No.5866 of 2016 in
W.A (MD) No.SR 20090 of 2016
and W.A (MD) No.SR 20090 of 2016
16.06.2017