

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 22.09.2017
CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.18177 of 2017

P.Chelladurai

: Petitioner

Vs.

1. The Management of State Express
Transport Corporation (Tamil Nadu) Ltd,
Rep. by its Managing Director,
Pallavan Salai,
Chennai-2.

2. The General Manager,
State Express Transport
Corporation (Tamil Nadu) Ltd,
Pallavan Salai,
Chennai-2.

3. The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-2.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to settle the petitioner's terminal benefits including gratuity, earned leave salary for 240 days, surrender leave salary for 30 days, medical leave salary for 43.5 days, commutation amount and all other attendant benefits together with interest at the rate of 18% per annum payable from the date of his retirement i.e., 31.01.2017 to till the date on which the said benefits are settled to the petitioner.

For Petitioner

: Mr.A.Rahul

For Respondents

: Mr.K.Sathya Singh

Standing Counsel for TNSTC

O R D E R



2. Heard the learned counsel for the petitioner and the learned standing counsel for the respondents.

3. The learned counsel for the petitioner would submit that the petitioner is a retired Selection Grade Senior Tradesman from the respondent Corporation with effect from 31.01.2017. The grievance of the petitioner appears to be that the respondents have not settled the retirement benefits, namely, Provident Fund, Gratuity, Leave Salary, and all other attendant benefits. Hence, the petitioner has given a representation to the respondents on 20.04.2017, requesting them to pay the entire terminal benefits with interest from the date of his retirement. Finding no response, the petitioner is before this Court with this writ petition.

5. The learned counsel appearing for the respondents, sought four weeks to consider the representation of the petitioner.

6. The issue relating to the payment of retirement benefits by the Transport Corporation is no more res integra. The first Bench in W.A.(MD) Nos.383 to 457 of 2015, keeping in mind the retirement benefits having not been disbursed by the Transport Corporation, has given twelve equal monthly installments to clear all the retirement benefits with interest at 6%.

7. In the light of the order passed by this Court in the writ appeal cited supra, the respondents are hereby directed to disburse the retirement benefits of the petitioner with 12 equal monthly installments and the first of such installment shall commence from the first week of November 2017.

8. The Writ Petition stands disposed of with the above direction. No costs.

Sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To

1. The Managing Director,
Management of State Express
Transport Corporation (Tamil Nadu) Ltd,
Pallavan Salai, Chennai-2.

2. The General Manager,
~~State Transport Corporation~~ Transport
Corporation (Tamil Nadu) Ltd,
Pallavan Salai, Chennai-2.



3. The Administrator,
Tamil Nadu State Transport
Corporation Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-2.

+1cc to M/S.K.SATHIYA SINGH, Advocate SR.No.80660.
+1cc to M/S.A.RAHUL, Advocate SR.No.81011.

W.P. (MD) No.18177 of 2017
22.09.2017

Mrn/MR
SDS/MR:KKR/SAR 1/01.11.2017/3P/6C