



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.10.2017

CORAM :

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P (MD) No.18270 of 2017

M.K.Mohamed Gani

... Petitioner

vs.

1.The Management of Tamil Nadu

State Transport Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Kumbakonam.

2.The General Manager,

Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

3.The Administrator,

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

... Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to sanction and pay eligible terminal benefits payable to the petitioner including gratuity, provident fund, leave salary, Social security scheme amount, commuted value of pension, monthly pension, Refund of Contribution made by him towards Erode Engineering College, Perundurai Medical College etc., and salary arrears of Rs.3,80,846/- with interest at 18% per annum payable from 01.07.2017 to till the date on which the above amounts are settled to the petitioner within the time limit that may be fixed by this Hon'ble Court.

For Petitioner

: Mr.A.Rahul

For Respondents

: Mr.D.Sivaraman

Standing Counsel

ORDER

Heard the learned counsel appearing for the petitioner and the learned Standing Counsel appearing for the respondents.

2.By consent, this Writ Petition is taken up for final disposal at the stage of admission itself.

<https://hcservices.ecourts.gov.in/hcservices/>

3.The relief sought for in the writ petition is to direct the respondents to sanction and pay eligible terminal benefits of the



petitioner including gratuity, provident fund, leave salary, Social security scheme amount, commuted value of pension, monthly pension, Refund of Contribution made towards Erode Engineering College, Perundurai Medical College etc., and salary arrears of Rs.3,80,846/- with interest at 18% per annum payable from 01.07.2017 till full settlement within a time limit that may be fixed by this Court.

4.It is brought to the notice by the learned counsel for the petitioner that by order dated 28.03.2017 in W.P.(MD) No.5489 of 2017, in which similar relief had been sought for against the same respondents, this Court following an earlier order dated 12.06.2015 in W.P.(MD) Nos.383 to 457 of 2015 of the Division Bench of this Court has passed orders directing the respondents to settle the entire dues towards terminal benefits of the petitioner therein in 12 equal monthly installments with incidental safeguards.

5.The learned standing counsel submits that the respondents do not intend to file any counter in this writ petition and has made an endorsement to that effect.

6.Accordingly, this writ petition is disposed of with the following directions:-

i)The respondents shall compute the entire dues payable to the petitioner towards terminal benefits and make payment of the same in twelve equal monthly installments;

ii)The first installment shall commence by making payment on or before 10th November, 2017 and the amount in each of the installments shall be paid on or before 10th of every succeeding month;

iii)The amount computed shall carry interest at the rate of 6% per annum, as ordered in the order dated 12.06.2015 in W.A.(MD) Nos.383 to 457 of 2015, passed by the Division Bench of this Court, and in case of default, the interest payable shall be at the rate of 18% per annum for the delayed period instead of 6% per annum;

iv)It is made clear that in the event of any factual dispute on computation of the aforesaid amounts, resulting in short payment to the petitioner, the petitioner shall be at liberty to pursue the available remedies for the same in accordance with law. No costs.

Sd/-

Assistant Registrar(AD-II)

/True Copy/

Sub Assistant Registrar

To

1.The Management of Tamil Nadu

State Transport Corporation (Kumbakonam) Ltd.,

Represented by its Managing Director,
Kumbakonam.



2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Ltd.,
Karaikudi Region,
Karaikudi.

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

+1cc to Mr.A.RAHUL Advocate in SR. No. 81492

+1cc to Mr.D.SIVARAMAN Advocate in SR. No. 81572

SJ

JS/MR.KKR/SAR.1/12.10.2017/3P-6C

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