



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2016

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P(MD)No.24470 of 2016

K.Pandian

... Petitioner

vs.

1)The Management of
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Madurai Region,
Rep. by its Managing Director,
Madurai.

2)The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.

... Respondents

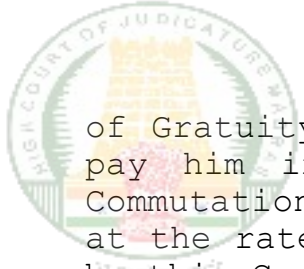
Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 1st respondent to pay the petitioner Rs.1,98,463/- towards Leave Salary, together with 18% interest per annum along with interest amount towards the delayed payment of Gratuity amount Rs.3,49,845/- for the period from 30.06.2012 to 18.05.2015 as per Sec.7(3A) of the Payment of Gratuity Act and further directing the 1st and 2nd Respondents to pay him interest amount towards the delayed payment of pension Commutation Rs.2,20,806/- for the period from 01.07.12 to 30.10.13 at the rate of 18% interest p.a within a time frame as may be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Arunachalam

For Respondents : Mr.A.P.Muthupandian

ORDER

The petitioner was employed as a Special Grade Driver. He retired from service on 30.06.2012. He made a representation dated 28.07.2016 to the 1st respondent seeking disbursement of the retirement and pensionary benefits payable to him. As the said representation has not been considered, this writ petition has been filed, for issuance of a Writ of Mandamus, directing the 1st respondent to pay the petitioner Rs.1,98,463/- towards Leave Salary, together with 18% interest per annum along with interest amount towards the delayed payment of Gratuity amount Rs.3,49,845/- for the period from 30.06.2012 to 18.05.2015 as per Sec.7(3A) of the Payment



of Gratuity Act and further directing the 1st and 2nd Respondents to pay him interest amount towards the delayed payment of pension Commutation Rs.2,20,806/- for the period from 01.07.12 to 30.10.13 at the rate of 18% interest p.a within a time frame as may be fixed by this Court.

2.Learned counsel for the respondents submitted that the respondents would dispose of the representation of the petitioner dated 28.07.2016 within a time frame.

3.Recording the above submissions, this Writ Petition is disposed of directing the respondents to consider the representation of the petitioner dated 28.07.2016, ***to pay the retiral benefits in twelve instalments interms of the Judgment of the Hon'ble Division Bench of this Court dated 12.06.2015 in W.A. (MD) No.383 to 457 of 2015** and to pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(records)

/True copy/

***Amended as per order of this Hon'ble Court dated 02.02.2017**

Sub Assistant Registrar

To

(To be substituted Order already despatched on 23/01.2017)

1)The Managing Director,
The Management of
Tamilnadu State Transport Corporation (Madurai) Ltd.,
Madurai Region,
Madurai.

2)The Administrator,
Tamil Nadu State Transport Employees' Pension Fund Trust,
Thiruvalluvar Illam,
Anna Salai,
Chennai-2.

+1cc to Mr.S.Arunachalam, Advocate SR.No.82717

nbi

JS/SKN/RSK/14.02.2017:2P/4C

W.P (MD) No.24470 of 2016
21.12.2016