

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.01.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.818 of 2018

P.Tamilselvan

.. Petitioner

-vs-

1. The Managing Director  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited  
Vazhuthareddy  
Villupuram 605 602
  2. The General Manager  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited  
Tiruvannamalai Region  
Tiruvannamalai
  3. The Administrator  
Tamil Nadu State Transport  
Corporation Employees Post Retirement  
Welfare Fund Scheme  
Thiruvalluvar House,  
Pallavan Salai  
Chennai 600 002
- ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Leave Salary, Gratuity, Commutation, Dearness Allowance arrears, settlement arrears and all other retirement benefits etc., with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently direct the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.06.2016 to till the date of actual payment made to the petitioner within a stipulated time.

For Petitioner :: Mr.B.Jawahar

For Respondents :: Mr.A.Antony Arockiaraj

ORDER

The petitioner, having retired from service as Driver in the respondent Corporation on 30.6.2016, has filed this writ petition seeking a direction to the respondents to settle the retirement benefits including Leave Salary, Gratuity, Commutation, Dearness Allowance arrears, settlement arrears and all other retirement benefits etc., with interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.06.2016 to till the date of actual payment.

2. Mr.A.Antony Arockiaraj, learned standing counsel for the Transport Corporation submitted that since there has been a direction issued by the Hon'ble Division Bench in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 directing the Corporation to disburse all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, a similar direction may be issued in this writ petition also.

3. This Court, recording the statement made by the learned standing counsel for the respondents, taking note 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) directing the respondents to settle all the retirement benefits in twelve equal monthly instalments with 6% interest per annum, hereby directs the respondents to settle the entire retirement benefits due and payable to the petitioner through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from February, 2018 and each of the instalments should be paid on or before 7<sup>th</sup> of each month. In case of any delay in the payment of the instalments, 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 instalments. With this direction, the writ petition is disposed of accordingly. No costs.

Sd/-  
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

ss

To

1. The Managing Director  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited  
Vazhuthareddy  
Villupuram 605 602
2. The General Manager  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited  
Tiruvannamalai Region  
Tiruvannamalai
3. The Administrator  
Tamil Nadu State Transport  
Corporation Employees Post Retirement  
Welfare Fund Scheme  
Thiruvalluvar House,  
Pallavan Salai  
Chennai 600 002

+1cc to Mr.A.Antony Arockiaraj, Advocate, S.R.No.3806  
+1cc to Mr.B.Jawahar, Advocate, S.R.No.2784  
(CO)  
CA(/04/2017)

nm  
klt(10.02.2018)

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