

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.10.2018

CORAM

The Hon'ble Mr. Justice Satrughana Pujahari

W.P.No.27469 of 2018

R. Vasanthi

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Salai, Salem.
2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region, Bharathipuram,
Dharmapuri.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

..... Respondents

PRAYER :

Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits, including Leave Salary, Gratuity, Commutation, Dearness Allowance Arrears and previous leave surrender etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently, directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 31.01.2018, to till date of actual payment to the petitioner within the time that may be stipulated by this Court.

For Petitioner : Mr.T.Pappaiah Dharmarajan
For Respondents : Mr.P.Kannan Kumar
Standing Counsel

O R D E R

The grievance of the petitioner is the inaction on the part of respondents to consider her representation with regard to release of terminal benefits with interest. The petitioner while serving under the respondent, superannuated on 31.01.2018. But she being not released with the retiral benefits, has filed this Writ Petition seeking for a direction to the respondents to release the retiral benefits along with interest at the rate of 18% per annum from the date of her retirement till the date of realization.

2. The learned counsel appearing for the petitioner submits that though the petitioner has sought for the aforesaid larger relief, but, now confines the prayer seeking direction to the respondents to consider the representation of the petitioner made claiming the same in a time bound manner.

3. The learned Standing Counsel, who accepts notice on behalf of the respondents submits that if such representation of the petitioner is pending, the respondents shall take an informed and considered decision in accordance with law within a reasonable period, but this Court should not put any fetter on the respondents to consider the representation in any particular manner.

4. Considering the facts and submissions made, this Court without seeking any reply affidavit, dispose of this Writ Petition with a direction to the respondents to take an informed and considered decision on such representation of the petitioner in its own merit and in accordance with law, if the same is pending, within a period of eight weeks from the date of receipt of copy of this order. However, it is made clear that this Court has expressed no opinion on the merits of such representation in any manner.

5. With the aforesaid direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Salai, Salem.
2. The General Manager,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Dharmapuri Region, Bharathipuram,
Dharmapuri.
3. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

+1cc to Mr.M.Selvam, Advocate sr.no.72257

+2cc to Mr.P.Kannankumar, Advocate sr.no.72778

W.P.No.27469 of 2018

ak(co)
nr 15/11/2018



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