

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2018

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WP.No.31274 of 2018

R.Yegasivanathan

Petitioner

Vs

Tamil Nadu State Transport Corporation
(Coimbatore Division-I) Ltd.
Coimbatore.

Rep. by its Managing Director
(Formerly known as Cheran Transport Corporation)
Coimbatore-641 043

Respondent

Prayer:- This Writ Petition is filed, under the Article 226 of Constitution of India, to issue a writ of Mandamus to direct the respondent herein to settle all terminal benefits like gratuity, provident fund and pension due to the petitioner by taking into account the total period of petitioner's service from 16.07.1985 to 30.09.2018.

For Petitioner : Mr.Nazarullah for
Mr.K.V.Shanmuganathan

For Respondent : Mr.Kannan Kumar, Standing counsel
for Transport Corporation.

ORDER

By consent of the learned counsel on either side, this Writ Petition is taken up for final disposal.

2. The Prayer in the Writ Petition is to issue a writ of Mandamus to direct the respondent herein to settle all terminal benefits like gratuity, provident fund and pension due to the petitioner by taking into account the total period of petitioner's service from 16.07.1985 to 30.09.2018.

3. The learned counsel for the Petitioner submits that the Petitioner, after serving in the respondent-Transport Corporation, on attaining 58 years, was superannuated from service on 30.09.2018. The Petitioner submitted requisite forms with the respondent corporation for the settlement of terminal

benefits like gratuity, provident fund and pension. On the same day of retirement, the respondent had issued service certificate mentioning the date of joining and retirement. Based on that, the Petitioner made a representation dated 31.10.2018 to the respondent seeking terminal benefits. It is further stated that the respondent has so far not settled the gratuity and provident fund and therefore, this writ petition is filed with the above said prayer.

4. Heard the learned Standing counsel for Transport Corporation on the above submissions of the learned counsel for the Petitioner.

5. Considering the limited scope of the Prayer sought for in this writ petition, the respondent is directed to consider the Petitioner's representation dated 31.10.2018 and pass necessary orders in accordance with law, as early as possible, preferably within twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nvsri

To

The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore Division-I) Ltd.
Coimbatore.

+1 cc to Mr.K.V.Shanmuganathan, Advocate, S.R.No.87834

+1 cc to Mr.Kannan Kumar, Advocate, S.R.No.87866

GJ-II(CO)
SSM(21/01/2019)

WP.31274 of 2018