

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.09.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.18460 of 2019

R.P.Jayaprakash

..Petitioner

vs

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishnan Road,
Salem - 636 007.
 - 2.The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Dharmapuri Region, Bharathipuram,
Dharmapuri - 636 705.
 - 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 is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondents to settle the petitioner's retirement benefits including Provident Fund, Gratuity, EL & ML Surrender, Social Welfare, D.A., IRT, E.L.Surrender arrears and Settlement Amount (VII Pay Commission), DA Arrears and Pension arrears 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 18% per annum from the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.06.2018 to till date of actual payment to the petitioner within the time that may be stipulated by this Hon'ble Court.

For Petitioner : Mr.M.Selvam
For Respondent : Mrs.Rajeni Ramadoss

O R D E R

The prayer sought for in this Writ Petition is to direct the respondents to settle the petitioner's retirement benefits including Provident Fund, Gratuity, EL & ML Surrender, Social Welfare, D.A., IRT, E.L.Surrender arrears and Settlement Amount (VII Pay Commission), DA Arrears and Pension arrears 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 18% per annum from the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.06.2018 to till date of actual payment to the petitioner within the time that may be stipulated by this Hon'ble Court.

2. The case of the petitioner is that he had joined the service of the 1st respondent corporation as conductor on 06.08.1980. On 30.06.2018, he retired from service. At the time of retirement the petitioner was working as a Traffic Manager in the 2nd respondent corporation. However, the retirement benefits like Provident Fund, Gratuity and other arrears were not settled. Hence the petitioner made a representation on 25.04.2019 to the respondents, however, till date the representation was not considered.

3. The learned counsel for the petitioner would submit that it would be suffice to issue directions to the respondents to dispose of the representation dated 25.04.2019 within a stipulated time in accordance with law.

4. Mrs.Rajeni Ramadoss, learned counsel for the respondents would submit that the representation of the petitioner would be considered on merits and in accordance with law.

5. Considering the facts and circumstances of the case, without going into the merits of the matter, the respondents are directed to consider the representation of the petitioner dated 25.04.2019, on merits and in accordance with law and pass orders within a period of 8 weeks from the date of receipt of a copy of this order.

The learned counsel for the respondents is directed to send a copy of the representation along with this order copy to enable the respondents to pass appropriate orders. No costs.

Sd/-
Assistant Registrar(Cj conf)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishnan Road,
Salem - 636 007.
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+1cc to Mr.M.Selvam , Advocate SR.No. 78847

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