

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 14.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.20850 of 2019

S.Mathiyalagan

... Petitioner

Vs.

- 1.The Principal Secretary to Government,
Transport Department,
Fort.St.George, Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd.,
3/137 Salamedu,
Valuthareddy - Post,
Villupuram - 605 602.
- 3.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar - House,
Pallavan Salai, Chennai - 600 002. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondents to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.5,19,040/-, Gratuity Amount of Rs.7,43,238/-, Pension Commutation Amount of Rs.6,71,923/-, Post Retirement Benefit Fund Amount Rs.18,500/- the total comes to Rs.19,52,701/- (Rupees Nineteen Lakhs Fifty Two Thousand Seven Hundred and One Only) with 18% interest on delayed payment to the petitioner the Selection Grade Assistant who has retired from service on 30.06.2018.

For Petitioner : Mr.D.Veerasekaran

For Respondents : Mr.R.S.Selvam for R1

Government Advocate

Mr.Antony Arockiaraj for R2 and R3

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the respondents 2 and 3 to disburse the retirement benefits viz., Earned Leave Surrender Salary Amount of Rs.5,19,040/-, Gratuity Amount of Rs.7,43,238/-, Pension Commutation Amount of Rs.6,71,923/-, Post Retirement Benefit Fund Amount Rs.18,500/-, the total comes to Rs.19,52,701/- (Rupees Nineteen Lakhs Fifty Two Thousand Seven Hundred and One Only) with 18% interest on delayed payment to the petitioner the Selection Grade Assistant who has retired from service on 30.06.2018.

2. Heard the learned counsel appearing for the petitioner, the learned Government Advocate appearing for the first respondent and the learned counsel appearing for the respondents 2 and 3.

3. The case of the petitioner is that the petitioner joined as Junior Assistant in Thanthai Periyar Transport Corporation on 31.01.1990 and after amalgamation with Pattu Kottai Azhagiri Transport Corporation Limited, it was renamed as Tamil Nadu State Transport Corporation (Villupuram) Ltd. The petitioner was upgraded as Selection Grade Assistant on 01.08.2012 and retired from service on 30.06.2018 on attaining the age of superannuation. Though the petitioner retired from service in the year 2018, the retirement benefits due to him has not yet been paid to him. Hence this writ petition.

4. The learned counsel appearing for the respondents 2 and 3 would submit that initially there is no fund available for disbursement of retirement benefits in favour of the employees. Thereafter, the Transport Corporation borrowed amount from the Government and disbursed the retirement benefits. He would further submit that in the present case, the entire retirement benefits due to the petitioner was settled in favour of the petitioner during the first week of October, 2019.

5. Considering the fact that the amount due to the petitioner has been settled in favour of the petitioner, nothing survives in this writ petition for further adjudication.

6.The writ petition is accordingly closed. No costs.

Sd/-
Assistant Registrar(Cj conf)

//True Copy//

Sub Assistant Registrar

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To

- 1.The Principal Secretary to Government,
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Villupuram - 605 602.
 - 3.The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar - House,
Pallavan Salai, Chennai - 600 002.
- +1cc to Mr.D.Veerasekaran , Advocate SR.No. 85784
+1cc to Mr.Antony Arockiaraj , Advocate SR.No. 86525
+1 cc to Government Pleader Sr.No. 86106

A.SK(07/11/2019)

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सत्यमेव जयते

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