

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.12.2019

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.21841 of 2019

R.Rajendran

... Petitioner

-Vs-

1. Metropolitan Transport Corporation,
Pallavan House, Pallavan Salai,
Chennai - 600 002.
Represented by its Managing Director.
 2. The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.
 3. The Principal Secretary,
Transport Department,
Fort St. George, Secretariat,
Chennai - 600 009.
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the Respondents to pay the petitioner all his retirement benefits including Gratuity, Provident Fund, Commutation, Leave Salary and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Court.

For Petitioner : Mr.A.Rajendiran

For Respondents: Mr.Rajeni Ramadass
Standing Counsel for R1 & R2

Mr.S.N.Parthasarathy
Government Advocate for R3

ORDER

This writ petition has been filed for the issuance of writ of mandamus directing the 1st respondent to pay the petitioner all his retirement benefits and other terminal benefits with interest.

2.The petitioner was working in the respondent Transport Corporation as a Conductor from the year 1997 onwards. He superannuated with effect from 28.02.2019. The grievance of the petitioner is that the respondent Corporation has not settled the retirement dues on the ground that it is having financial difficulties and therefore, the present writ petition has been filed before this Court seeking for appropriate directions.

3.The learned counsel for the petitioner submitted that there is a considerable delay in settling the retirement benefits and therefore, the petitioner is entitled for interest for the delayed payments.

4.The learned Standing Counsel appearing on behalf of the respondent Corporation submitted that the retirement benefits of the petitioner has been settled and therefore, no further orders are required to be passed in the present writ petition.

5.Taking into consideration the facts and circumstances of the case, there shall be a direction to the 1st respondent to ensure that the petitioner is paid all his retirement benefits, if it has not already been paid. If there is any considerable delay in payment of retirement benefits, the 1st respondent shall consider the representation of the petitioner and see if he is entitled for any payment of interest for the delayed settlement of retirement dues. The petitioner is directed to make a fresh representation along with the copy of this order passed in this writ petition to the 1st respondent in this regard.

6.This writ petition is disposed of, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ssr

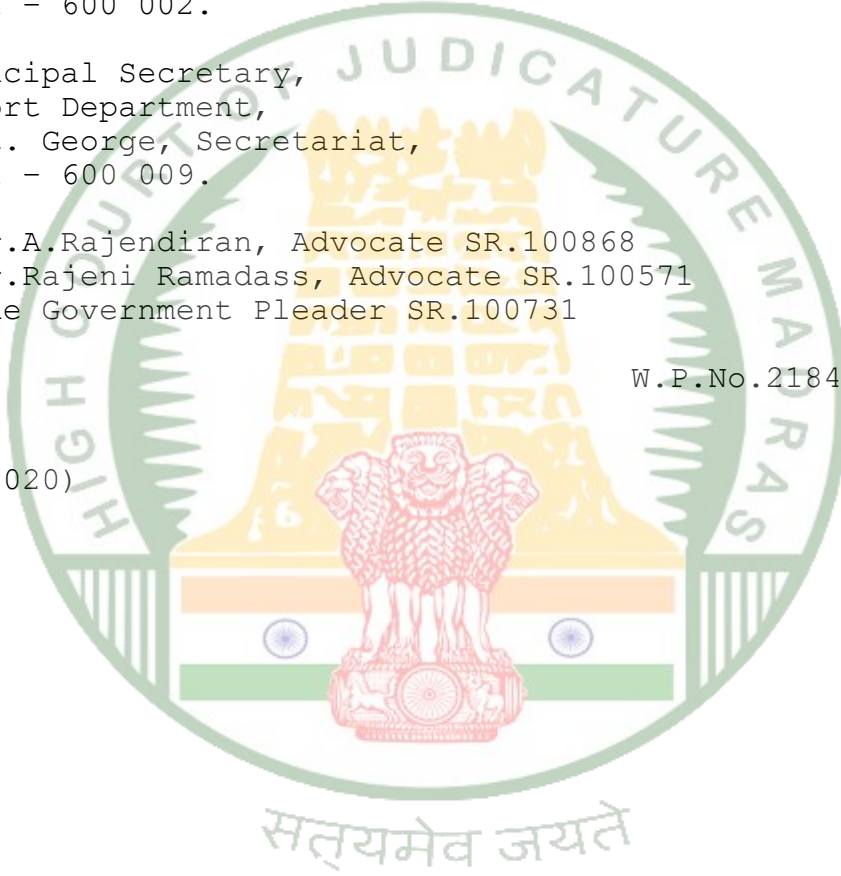
To

- 1.The Managing Director,
Metropolitan Transport Corporation,
Pallavan House, Pallavan Salai,
Chennai - 600 002.
- 2.The Administrator,
Tamil Nadu State Transport
Corporation Employees Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.
- 3.The Principal Secretary,
Transport Department,
Fort St. George, Secretariat,
Chennai - 600 009.

+1cc to Mr.A.Rajendiran, Advocate SR.100868
+1cc to Mr.Rajeni Ramadass, Advocate SR.100571
+1cc to the Government Pleader SR.100731

W.P.No.21841 of 2019

SS(CO)
CB(10/01/2020)



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