

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.21457 of 2019

Duraiaraj

... Petitioner

Vs.

1.The Managing Director,
Tamilnadu State Transport Corporation
Villupuram.

2.The General Manager/ Additional Director,
Tamilnadu State Transport Corporation
Villupuram.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the retirement benefits including Gratuity, Commutation, EL Surrender, IRT Fund, Deepavali Bonus and other monetary and pensionary benefits to the petitioner along with 18% interest from the date of retirement of the petitioner i.e., 30.4.2018 to the petitioner herein within a stipulated period as fixed by this Hon'ble Court.

For Petitioner : Mr.R.Nalliyappan

For Respondents : Mr.K.J.Sivakumar

O R D E R

The petitioner has filed this writ petition seeking issuance of a Writ of Mandamus directing the respondents to disburse the retirement benefits including Gratuity, Commutation, EL Surrender, IRT Fund, Deepavali Bonus and other monetary and pensionary benefits to the petitioner along with 18% interest from the date of retirement of the petitioner i.e., 30.4.2018 to the petitioner herein within a stipulated period as fixed by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

3.The case of the petitioner is that he was appointed as Driver under the respondent Corporation on 31.08.1998 and retired from service on 30.04.2018. However, the retirement benefits were not paid to the petitioner. Hence, the petitioner filed W.P.No.20895 of 2018 before this Court and the said writ petition was disposed of by this Court on 14.08.2018. After disposal of the said writ petition, the petitioner was paid only the Provident Fund and the other monetary amounts were not disbursed to him. Hence, the petitioner made repeated representations to the respondents seeking to settle the retirement benefits and since there is no response, the petitioner has filed the present writ petition.

4.The learned counsel appearing for the petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the respondents to consider the petitioner's representations dated 23.10.2018, 02.11.2018, 05.02.2019 and 16.03.2019 and to pass appropriate orders.

5.Considering the limited request made by the learned counsel appearing for the petitioner, I am inclined to issue direction to the respondents to consider the petitioner's representations dated 23.10.2018, 02.11.2018, 05.02.2019 and 16.03.2019, on merits and in accordance with law, as expeditiously as possible.

6.The writ petition is accordingly disposed of. No costs.

s/d-
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

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To

1.The Managing Director,
Tamilnadu State Transport Corporation
Villupuram.

2.The General Manager/ Additional Director,
Tamilnadu State Transport Corporation
Villupuram.

+1 CC to Mr.R.Nalliyappan, Advocate sr 77135.

W.P.No.21457 of 2019

VGI(CO)
SP(24/10/2019)