

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :12.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.23053 of 2019

A.Dakshnamoorthy

..Petitioner

vs

1.The Managing Director

Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.

2.The General Manager,

Tamil Nadu State Transport Corporation (Villupuram) Limited,
Vellore Region,
Vellore.

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 directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), Social Welfare fund, IRT amount, PRBS pension and all other attendant benefits by calculating D.A. Eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2018 within stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.J.Pradeep

For Respondents : Mr.R.Kulandaivelu
for Mr.Antony Arogyaraj

O R D E R

The prayer sought for in this Writ Petition is to direct respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), Social Welfare fund, IRT amount, PRBS pension and all

other attendant benefits by calculating D.A. Eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2018 within stipulated time as may be fixed by this Honourable Court.

2. The case of the petitioner is that he joined the service in Pattukottai Azhagiri Transport Corporation on 19.07.1987. He retired for the service on 31.05.2018. At the time of retirement the petitioner was working as Traffic Inspector. It is the further case of the petitioner that even after a lapse of one year, retirement benefits like Gratuity, Pension Commutation, Leave Encashment (Earned and old Medical leave), Social Welfare fund, IRT amount, PRBS pension and all other attendant benefits has not been settled. Hence he made representation to the respondents on 12.06.2019. However, till date representation was not considered. Aggrieved by the same the Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that infact the State Government had sanctioned sufficient funds towards settlement of pending terminal benefits of the employees. Therefore he would urge this Court that the respondents may be directed to disburse the terminal benefits to the petitioner.

4. In view of the fact that the State Government has already sanctioned sufficient funds towards settlement of terminal benefits of the employees in favour of the Transport Corporation, there is no impediment for the Transport Corporation to disburse the terminal benefits to the petitioner. The petitioner is directed to make a fresh representation to the respondents within a period of 2 weeks from the date of receipt of a copy of the order, on such representation being made by the petitioner, the respondents are directed to consider the same and pass appropriate orders within a period of 6 weeks thereafter.

5. With the above directions the Writ Petition is disposed of. No costs.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

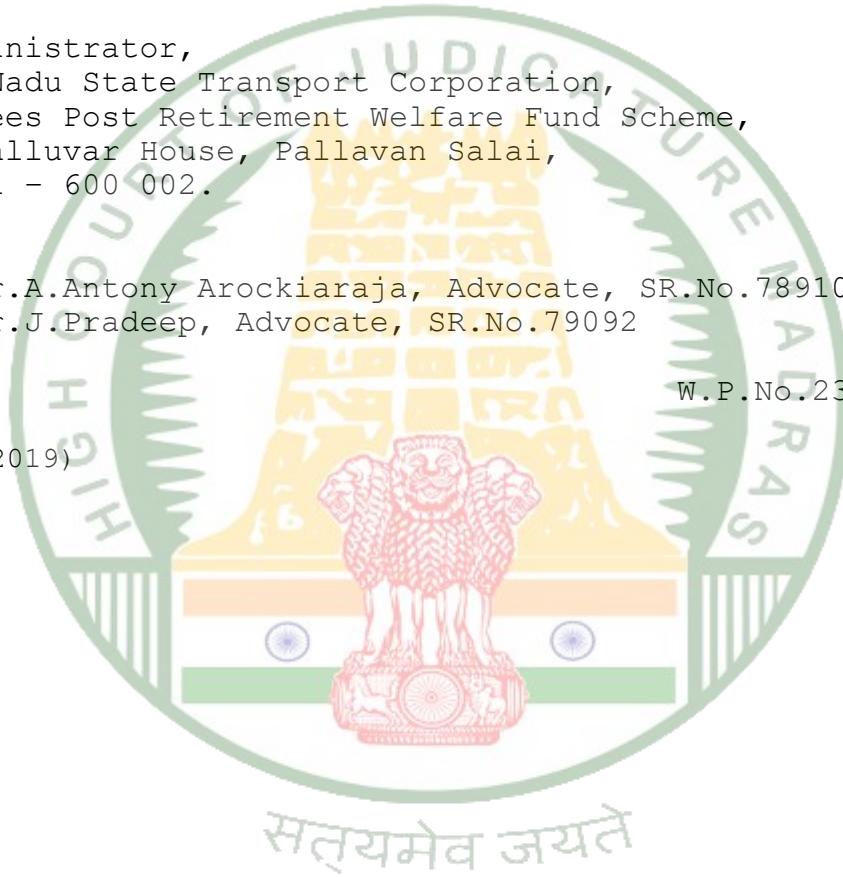
To

- 1.The Managing Director
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Employees Post Retirement Welfare Fund Scheme,
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Chennai - 600 002.

+1cc to Mr.A.Antony Arockiaraja, Advocate, SR.No.78910
+1cc to Mr.J.Pradeep, Advocate, SR.No.79092

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Kak(05/11/2019)



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