



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.11020 of 2019

WEB COPY

K. Subbaraj

... Petitioner

Vs.

1. Tamil Nadu State Transport Corporation
(Thirunelveli) Ltd.,
Rep. by its Managing Director,
Thirunelveli Region,
Thirunelveli - 627 001.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employee Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 600 002.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to sanction Rs.68,725/- towards the interest for the delayed period of 17 months based on the petitioner's representation dated 24.01.2019 in the light of the order in W.P (MD).No.10816 of 2016, dated 21.06.2016 within the time stipulated by this Court.

For Petitioner : Mr.G.M. Xavier
For Respondents : Mr.K. Sathyasingh

ORDER

This writ petition has been filed seeking to direct the respondents to sanction Rs.68,725/- towards interest for the delayed period of 17 months, based on the petitioner's representation dated 24.01.2019 in the light of the order of this Court dated 21.06.2016 passed in W.P(MD).No.10816 of 2016, within the time stipulated by this Court.

2.Mr. K. Sathyasingh, learned Standing Counsel, takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3.The case of the petitioner is that he joined as Conductor in the respondent Corporation and he retired from service as Senior Grade Checking Inspector. Since his retiral benefits have not been disbursed to him, the petitioner filed WP.(MD)No.10816 of 2016, which by order dated 21.06.2016, was disposed of, directing the respondent Corporation to pay the retirement benefits in 12 equal instalments. The said order has not been complied with by the respondents within the time stipulated by this Court and there was a delay in payment of the retirement benefits. Hence, the

petitioner submitted a representation dated 24.01.2019 seeking interest for the belated period. Finding no response on the said representation, he has come up with the present writ petition.

4.The learned Standing Counsel appearing for the respondents fairly submitted that the respondents would consider the representation of the petitioner and pass orders, on merits.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the representation of the petitioner, dated 24.01.2019 on merits and in accordance with law, and pass necessary orders, within a period of eight weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner.

6.With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (w)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Thirunelveli) Ltd.,
Thirunelveli Region,
Thirunelveli - 627 001.

2.The Administrator,
Tamil Nadu State Transport Corporation
Employee Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai - 600 002.

+1 CC to M/s.G.M.XAVIER, Advocate (SR-64118[F] dated 30/04/2019)

+1 CC to M/s.K.SATHIYA SINGH, Advocate (SR-64293[F] dated 30/04/2019)

trp/rk

W.P (MD) No.11020 of 2019
30.04.2019