



THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.07.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.7778 of 2020

P.Dinakaran

...Petitioner

-Vs-

1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Kumbakonam, Thanjavur District.

2.The General Manager,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Karaikudi, Sivagangai District.

3.The Administrative Officer,
The Tamil Nadu State Transport
Corporation Pension fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to settle petitioner's retirement benefits including Gratuity, Leave Salary, Provident Fund amount and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement i.e., 31.05.2019 within a time frame as fixed by this Court.

For Petitioner : Mr.D.Senthil

For Respondents : Mr.P.Balasubramanian,
Standing Counsel

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondents to settle petitioner's retirement benefits including Gratuity, Leave Salary, Provident Fund amount and all other attendant benefits with interest at the rate of 18% per annum from the date of his retirement i.e., 31.05.2019 within a time frame as fixed by this Court.

2. Heard Mr.D.Senthil, learned counsel appearing for the petitioner and Mr.P.Balasubramanian, learned Standing Counsel appearing for the respondents.



3. The petitioner after completing 27 years of service at the respondent Corporation retired from service on attaining the age of superannuation on 31.05.2019. Even though he retired from service, his retiral benefits has not been disbursed by the respondents corporation and in this regard, even though representation has been submitted on 15.06.2020, no orders since has been passed, therefore, the petitioner is before this Court with the aforesaid prayer.

4. It was submitted by the learned Standing Counsel appearing for the respondents that due to COVID-19 situation the respondents Transport Corporation is facing financial crisis and seeks for a longer period to pay the retirement benefits, however, this Court feels that a retired employee cannot wait for years together to get the retiral benefits as that is the only source of revenue for his family to run and for other important expenses to be met by the petitioner.

5. So, taking into account all these aspects, this Court is inclined to dispose of this writ petition, with the following direction:

"that the petitioner's representation, dated 15.06.2020 shall be considered by the respondents corporation and accordingly, the retiral benefits payable to the petitioner shall be paid to him within a period of four months from the restoration of normalcy after COVID-19 period. If within the said period the retiral benefits are not paid to the petitioner, that will carry interest at 6% per annum."

6. With this direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

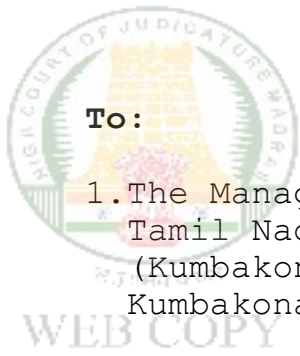
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Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To:

- 1.The Managing Director,
Tamil Nadu State Transport Corporation,
(Kumbakonam) Limited,
Kumbakonam, Thanjavur District.
- 2.The General Manager,
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Thiruvalluvar House, Pallavan Salai,
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Order made in
W.P. (MD)No.7778 of 2020

Dated:28.07.2020

SPU(14.08.2020) 3P 4C