



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **26.11.2021**

CORAM

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.3694 of 2021

A.Vairamuthu

... Petitioner

Vs.

The General Manager,
Tamil Nadu Government State
Transport Corporation (Kumbakonam Divisional-III),
Marudupathi, Managiri Post,
Karaikudi,
Sivagangai District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits including Provident Fund, Gratuity, Commutation of Pension, I.R.T.Share amount, arrears of monthly pension for the period from 01.05.2015 till the date of realization of pension payable to him with interest at the rate of 16% per annum within the time frame as stipulated by this Court.

For Petitioner : Mr.Xavier G.M.

For Respondent : Mr.P.Balasubramanian

ORDER

Heard Mr. G.M.Xavier, learned counsel for the petitioner and Mr.P.Balasubramanian, learned counsel appearing for the respondent.

2.The petitioner has sought a Mandamus, directing the respondents to settle the petitioner's retirement benefits including Provident Fund, Gratuity, Commutation of Pension, I.R.T.Share amount, arrears of monthly pension for the period from 01.05.2015 till the date of realization of pension payable to him with interest at the rate of 16% per annum within a time frame being stipulated by this Court.

3.The learned counsel for the respondent Corporation would submit that for the purpose of paying retirement benefits to the petitioner, vide proceedings dated 05.03.2019, the respondent Corporation instructed the petitioner to submit 'No Due Certificate' from the respective Departments and Housing Society and also other necessary documents to the respondent Corporation and after receipt of the same, steps will be taken to disburse all his retirement benefits to him. However, he has not obtained 'No Due Certificate' from the respective Departments nor submitted necessary documents to enable the respondent Corporation to make the payment.



4. After taking note of the above, the learned counsel for the petitioner would submit that the petitioner will get necessary 'No Due Certificate' from the respective Departments and the Housing Society and also submit necessary documents to the respondent Corporation.

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5. In view of the submission now made by the learned counsel on either side, the petitioner is directed to make a fresh application along with 'No Due Certificate' obtained from the respective Departments and Housing Society and also by enclosing necessary documents, to the respondent Corporation within a period of two weeks from the date of receipt of a copy of this order. On receipt of such application, the same shall be processed by the respondent Corporation in accordance with law and all the retirement benefits shall be disbursed to the petitioner within a period of twelve(12) weeks there of.

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

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2021

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:

The General Manager,
Tamil Nadu Government State
Transport Corporation (Kumbakonam Divisional-III),
Marudupathi, Managiri Post,
Karaikudi, Sivagangai District.

+1 CC to M/s.P.BALASUBRAMANIAN, Advocate (SR-36410[F] dated 29/11/2021)

+1 CC to M/s.G.M.XAVIER, Advocate (SR-36329[F] dated 29/11/2021)

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RD(23.12.2021) 2P 4C