



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P. (MD) No.20000 of 2020

V.Sebasthi Innasi

... Petitioner

vs.

The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus, to direct the respondent to settle the petitioner's retirement benefits including Employees Provident Fund, Gratuity, Earned Leave Wages for 307 days payable to the petitioner with reasonable rate of interest within the time that may be stipulated by this Court.

For Petitioner	:	Mr.G.M.Xavier
For Respondent	:	Mr.D.Sivaraman Standing Counsel

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. In view of the non-settlement of the retirement benefits after the petitioner had retired from his service with effect from 31.07.2019 onwards, the present writ petition has been filed, seeking for a direction to the respondent to settle the retirement monetary benefits together with reasonable interest.

3. Today, when the matter was called, the learned Standing Counsel appearing for the Corporation would submit that the respondent is willing to settle the terminal benefits as and when the amount is sanctioned from the Government for which a proposal has already been sent by the Corporation. According to the learned Standing Counsel, the amount is likely to be sanctioned by the Government, probably within a period of four weeks.

4. The learned counsel for the petitioner would submit that in view of similar stands taken by the Corporation in other cases, the petitioner is willing to receive the retirement benefits in twelve equal installments along with interest.



5. In my view, the Corporation have expressed their financial crisis and therefore, if the interest is fixed at the rate of 6%, the ends of justice could be secured.

6. Recording the submissions of the learned counsel for the petitioner as well as the learned Standing Counsel appearing for the respondent, there shall be a direction to the respondent to disburse all the monetary retirement benefits to the petitioner in twelve (12) equated monthly installments. The first of such installment shall be paid atleast on or before 1st March, 2021, and thereafter, the remaining Eleven (11) equated monthly installments shall be paid on fifteenth day of every consecutive months.

7. With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

To

The Tamil Nadu State Transport
Corporation (Kumbakonam) Ltd.,
Represented by its Managing Director,
Karaikudi Region,
27, New Railway Station Road,
Kumbakonam.

+1 CC to M/s.D.SIVARAMAN, Advocate (SR-702[F] dated 08/01/2021)

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