



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.02.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.A(MD)No.1102 of 2014

and

M.P(MD)No.2 of 2014

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- 1.The Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Rep. by its Managing Director,
New Railway Station Road,
Kumbakonam,
Thanjavur District. ... Appellant No.1/Respondent No.1
- 2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam. ... Appellant No.2/Respondent No.2
- 3.The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002. ... Appellant No.3/Respondent No.3
Vs.
C.Somasundaram ... Respondent/Petitioner

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent,
against the order dated 19.09.2013 in W.P(MD)No.14433 of 2013.

Prayer in WP(MD). 14433/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to settle the petitioners retirement benefits including leave salary, gratuity, commutation pension etd., with interest at the rate of not less than 10% from the date when the same became due i.e from 31.12.2011 to till the date of actual payment to the petitioner within the time that may be stipulated by this Hon'ble Court.

For Appellants : Mr.D.Sivaraman

For Respondents : Mr.A.Rahul



JUDGMENT

**(Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA, J.)**

This Writ Appeal is directed against the order dated 19.09.2013 passed in W.P(MD)No.14433 of 2013.

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2. The writ petition was originally filed by the retired employee of the Tamil Nadu State Transport Corporation, Kumbakonam Limited, claiming his terminal benefits, which had not been paid to him despite number of representations made by him. The writ petition was allowed by the learned Single Judge on 19.09.2013, directing the appellants herein to settle all the terminal benefits to the writ petitioner with 6% interest.

3. Aggrieved by the said order, the above writ appeal was filed by the Transport Corporation. It is also stated that contempt petition in Cont.P(MD)No.156 of 2014 was filed for the non-compliance of the order passed in the writ petition.

4. When the writ appeal was taken up for hearing, the learned counsel appearing for the appellants would submit that in the contempt petition, it was already represented by the writ petitioner that the entire terminal benefits due to him have been settled on various dates. The same was recorded and the contempt petition was closed on 22.09.2014, which was pursuant to the filing of the above writ appeals.

5. The learned counsel appearing for the appellants has also produced a Tabular Column, which would go to show that the writ petitioner has been paid the terminal benefits with interest.

6. The learned counsel appearing for the writ petitioner/respondent also acknowledges the same.

7. In view of the above, the writ appeal is dismissed as infructuous. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)



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.

+1 CC to Mr.D.SIVARAMAN, Advocate (SR-4570[F] dated 11/02/2021)

**Judgment made in
W.A(MD)No.1102 of 2014
10.02.2021**

KM (25.02.2021) 3P 2C