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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.03.2022

CORAM:

THE HON'BLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.12126 OF 2020

N.Palaniappan

.. Petitioner

vs.

1. The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Ltd.,
Ramakrishna Salai, Salem-636 007.
2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, 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 disburse the payments relating to Provident Fund, Gratuity, Commutation, Earned Leave & Medical Leave Surrender in the year 2009 to 2011, Labour Welfare Scheme Amount and IRT share amount with interest @ 12% per annum with effect from 01.05.2020 within the stipulated time as may be fixed by the Court.

For Petitioner : Mr.N.Desinghu

For Respondents : Mr.A.Sundaravadanam for R1
Mr.C.S.K. Sathish for R2

O R D E R

By consent, this Writ Petition is taken up for final disposal.



2. The prayer in the writ petition is for a Mandamus directing the respondents to disburse the payments relating to Provident Fund, Gratuity, Commutation, Earned Leave & Medical Leave Surrender in the year 2009 to 2011, Labour Welfare Scheme Amount and IRT share amount with interest @ 12% per annum, with effect from 01.05.2020, within the stipulated time as may be fixed by the Court.

3. The case of the petitioner is that he joined the service of the Respondent Corporation as Conductor on 14.10.1992 and after serving for 28 years, he retired from service on attaining the age of superannuation on 30.04.2020. The grievance of the petitioner is that terminal benefits like Provident Fund, Gratuity, Commutation, Earned Leave & Medical Leave Surrender in the year 2009 to 2011, Labour Welfare Scheme amount and IRT share amount have not been settled till date and therefore, he has filed the present writ petition.

4. Mr.A.Sundaravadanam, learned Standing Counsel for the first respondent fairly submitted that in respect of disbursement of Provident Fund, Gratuity, Earned Leave & Medical Leave Surrender in the year 2009 to 2011, Labour Welfare Scheme amount and IRT share amount, appropriate orders will be passed by the first respondent.

5. Mr.C.S.K.Sathiah, learned Standing Counsel for the second respondent fairly submitted that in respect of Commutation, appropriate orders will be passed by the second respondent.

6. In the light of the above submissions, this Court directs the respondents to consider the petitioner's representation dated 17.06.2020 and pass appropriate orders respectively in accordance with law for disbursement of Provident Fund, Gratuity, Commutation, Earned Leave & Medical Leave Surrender in the year 2009 to 2011, Labour Welfare Scheme Amount and IRT share amount, within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

7. The Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

Jvm



To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Ramakrishna Salai, Salem-636 007.

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2. The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.

+1cc to Mr.N.Desinghu, Advocate, S.R.No.20230

W.P.No.12126 of 2020

GPL (CO)
RLP (04/04/2022)