



WEB COPY



W.P. No.33654 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.33654 of 2022

A.Krishnan

... Petitioner

VS.

1.The Secretary to Government,
Transport Department,
Fort St. George,
Chennai 9.

2.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Salem 7.

3.The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Ltd.,
12, Ramakrishna Salai,
Salem 636 007.

4.The Administrative Officer,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Salem 7.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India,
to issue a Writ of Mandamus directing the respondents to settle the



W.P. No.33654 of 2022

retirement benefits of the petitioner, namely, Pension, Gratuity, Surrender of Earned Leave to the tune of 116 days, surrender leave of 3 months for unearned leave, provident Fund amount and other allied benefits along with interest @ 12% per annum within a reasonable time.

For petitioner : Mr.Venkataramani,
Senior Counsel for
Mr.M.Muthappan

For respondents : Mr.R.U.Dinesh Rajkumar,
Additional Government Pleader
for R1

Mr.K.Raja,
Standing Counsel
for R2 to R4

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to settle the retirement benefits of the petitioner, namely, Pension, Gratuity, Surrender of Earned Leave to the tune of 116 days, surrender leave of 3 months for unearned leave, Provident Fund amount and other allied benefits along with interest @ 12% per annum within a reasonable time.

2.The grievance of the petitioner in this writ petition is that his retirement benefits have not been paid by the respondent Transport Corporation till date. He obtained Voluntary Retirement on 22.10.2021.



W.P. No.33654 of 2022

3.Learned Standing Counsel appearing for the respondents 2 to 4 has placed before this Court a Calculation Memo of the respondent Transport Corporation under which they have given particulars of the retirement benefits payable to the petitioner by the respondent Transport Corporation. The details are as follows:

<i>Sl.No.</i>	<i>Terminal Benefits Details</i>	<i>Amount Rs.</i>	<i>Cheque No./ECS</i>	<i>Date of payment</i>
1.	Gratuity	6,41,520/-	Yet to be paid	
2.	Provident Fund	9,92,739/-		
3.	Commutation	Not willing		
4.	Leave Salary	1,92,297/-	Yet to be paid	
5.	Social Welfare Fund	32,273/-		
6.	VRS Compensation	67,708/-		
7.	IRTT	4,000/-		

4.Learned Standing Counsel appearing for the respondents 2 to 4 seeks eight weeks' time to make payment.

5.The said undertaking given by the respondents 2 to 4 is recorded.

6.Learned Senior Counsel appearing for the petitioner would submit that the petitioner is also entitled for interest for the belated payments.



W.P. No.33654 of 2022

7.No prejudice would be caused to the respondents if liberty is granted to the petitioner to seek for interest once the admitted amount as referred to supra is paid by the respondent Transport Corporation.

8.For the foregoing reasons, this writ petition is disposed of by directing the second respondent to pay the aforesaid sums mentioned in the aforementioned tabular column to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order. Liberty is granted to the petitioner, in case the respondents have not paid interest for the belated payments, to give a representation to the respondents, who shall consider the same, on merits and in accordance with law.

9.With the aforesaid direction, the writ petition stands disposed of.

No costs.

21.12.2022

Index: Yes/No

vga

Note: Issue order copy on 23.12.2022



W.P. No.33654 of 2022

WEB COPY To

- 1.The Secretary to Government,
Transport Department,
Fort St. George,
Chennai 9.
- 2.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Ltd.,
Salem 7.
- 3.The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Ltd.,
12, Ramakrishna Salai,
Salem 636 007.
- 4.The Administrative Officer,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Salem 7.



WEB COPY



W.P. No.33654 of 2022

ABDUL QUDDHOSE, J.

vga

W.P.No.33654 of 2022

21.12.2022