



WEB COPY



W.P. No.33841 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.33841 of 2022

J.Krishnan

... Petitioner

vs.

1.Metropolitan Transport Corporation
(Chennai) Ltd.,
rep. by its Managing Director,
Pallavan Illam,
Anna Salai,
Chennai – 600 002.

2.The Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
rep. by its Administrator,
Thiruvalluvar Illam,
Pallavan Salai,
Chennai – 600 002.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to pay the petitioner a sum of Rs.5,00,319/- towards Gratuity; to pay the petitioner a PF Rs.1,12,004/- to pay him a sum of Rs.1,82,880/- towards Earned Leave Salary; to pay the petitioner the amounts payable under the Social Security Scheme, Family Benefit Fund Scheme and the Post Retirement Benefit Scheme and the IRT Contribution with interest at the rate of 12%



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per annum for all the above benefits, to pay him monthly pension at the rate of Rs.12,968/- by counting his entire service including the period of non-employment; every month w.e.f. July 2022, within specified time as may be fixed by this Court.

For petitioner : Mr.R.Krishnaswamy

For respondents : Mr.R.Balaji,
Standing Counsel

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to pay the petitioner the sums of Rs.5,00,319/-, Rs.1,12,004/- and Rs.1,82,880/- towards Gratuity, Provident Fund and Earned Leave Salary and the amounts payable under the Social Security Scheme, Family Benefit Fund Scheme, Post Retirement Benefit Scheme and IRT Contribution with interest at the rate of 12% per annum and to pay him monthly pension at the rate of Rs.12,968/- by counting his entire service including the period of non-employment, within a specified time to be fixed by this Court.

2.The grievance of the petitioner is that his retirement benefits have not been paid by the respondent Transport Corporation. He has retired from service on 30.06.2022. He has given a representation on 01.12.2022 requesting the respondent Corporation to pay his retirement



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benefits. Despite his several representations including the last one referred to supra, the respondents have not, till date, paid the petitioner's retirement benefits. In such circumstances, he has filed this writ petition.

3.Heard Mr.R.Krishnaswamy, learned counsel for the petitioner and Mr.R.Balaji, learned Standing Counsel, who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the respondents if the petitioner's representation as stated supra is considered, on merits and in accordance with law, within a time frame to be fixed by this Court.

5.For the foregoing reasons, this Court directs the respondents to pass final orders on the petitioner's representation dated 01.12.2022 seeking for payment of his retirement benefits together with interest, within a period of eight weeks from the date of receipt of a copy of this order.



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ABDUL QUDDHOSE, J.

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

No costs.

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Index: Yes/No

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To

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