



W.P(MD)No.6190 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.03.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.6190 of 2023

M.Jeeva

... Petitioner

Vs

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
New Railway Station Road,
Kumbakonam.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
Kumbakonam Region,
Kumbakonam.

3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvalluvar Illam,
Pallavan Saalai,
Chennai – 2.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to settle the Gratuity Rs.7,34,732/-, Leave Salary Rs.41,098/-, Earned Leave Surrender



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Salary Rs.3,274/-, Cess Amount Rs.1,00,000/-, RBS Rs.18,500/- IRT Refund amount Rs.4,270/- and Provident Fund Rs.10,32,716/- along with belated payment interest at the rate of 6 percentage p.a on the delayed payment of retirement benefits from the date of retirement on 31.12.2022 till the date of settlement.

For Petitioner : Mr.S.Govindan

For Respondents : Mr.K.Jagadeesbalan
Standing Counsel for R.1 & R.2

Mr.S.C.Herold Singh
Standing Counsel for R.3

ORDER

Heard the learned counsel on either side.

2.The petitioner is a retired employee of the respondent corporation. He retired on 31.12.2022. All that the petitioner seeks is settlement of his retirement benefits. Since they have not been settled, the present writ petition came to be filed.

3.The stand of the Management is that on account of the financial difficulties in the Corporation, it is unable to make the payment. The reason given by the Management is unacceptable. When the employee has been allowed to retire his benefits ought to be paid immediately thereafter. At best



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the Management can take maximum of thirty days. I therefore direct the respondents to settle the petition mentioned retiral benefits as expeditiously as possible. The learned counsel for the petitioner states that the petitioner is in emergent need of funds to meet his medical expenses.

4.I direct the respondent Management to settle 30% of the petitioner's gratuity amount within a period of four weeks from the date of receipt of a copy of this order. The remaining amount shall be settled within a period of three months thereafter.

5.This writ petition is allowed on these terms. There shall be no order as to costs.

31.03.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Kumbakonam) Limited,
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G.R.SWAMINATHAN, J.

MGA

- 2.The General Manager,
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Kumbakonam Region,
Kumbakonam.
- 3.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
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