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W.P.(MD)NO.12998 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.06.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.12998 of 2023

M.Vaidhialingam

... Petitioner

Vs.

1. The Management of Tamil Nadu
State Transport Corporation (Madurai) Ltd.,
Rep. By its Managing Director,
Madurai.

2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region,
Virudhunagar.

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

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, calling for the records pertaining to the impugned order passed 2nd respondent in Reference No.Virudhu/ NIr/ A1/31/ 2023 Administrative Department dated 26.04.2023, quash the same in so far as withholding petitioner's retirement benefits such as



PF, Gratuity, Terminal Leave Salary, Surrender leave salary and Post Retirement Benefit Scheme Amount as illegal, non-est in law and consequently direct the respondents to settle all the retirement benefits payable to the petitioner including PF, Gratuity, Terminal Leave Salary, Surrender Leave Salary and Post Retirement Benefit Scheme Amount together with interest at the rate of 6 percent per annum payable from 30.06.2022 to till the date on which the aforesaid terminal amounts are disbursed to him.

For Petitioner : Mr.A.Rahul

For R-1 & R-2 : Mr.S.Ramachandra Pradeep

For R-3 : Mr.S.C.Herold Singh

* * *

ORDER

Heard the learned counsel on either side.

2. The writ petitioner worked as driver in the respondent corporation. He retired from service on 30.06.2022. However, his terminal benefits have not been disbursed by citing the pendency of I.D.No.4 of 2019 on the file of the Labour Court, Madurai.



3. Citing the pendency of ID, disbursement of terminal benefits by computing the admitted position cannot be withheld. The respondents are therefore directed to disburse the admitted terminal benefits that is due to be paid to the petitioner. This shall be done as expeditiously as possible. The order impugned in this writ petition is set aside. This writ petition stands allowed. No costs.

06.06.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

To:

1. The Manager,
State Transport Corporation (Madurai) Ltd., Madurai.
2. The General Manager,
Tamil Nadu State Transport Corporation (Madurai) Ltd.,
Virudhunagar Region, Virudhunagar.
3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Trust,
Thiruvalluvar Illam,
Pallavan Salai, Chennai – 2.



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G.R.SWAMINATHAN,J.

PMU

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