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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD)No.23573 of 2024

K.Soundhararajan

... Petitioner

Vs

1.The Additional Chief Secretary
to Government of Tamil Nadu,
Transport Department,
Fort St. George,
Chennai – 600 009.

2.The Tamil Nadu State Transport Corporation(CBE) Limited,
Represented by its Managing Director,
Mettupalayam Road,
Coimbatore – 641 043.

3.The General Manager,
The Tamil Nadu State Transport Corporation(CBE) Limited,
Tiruppur Region,
Tiruppu.

4.The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Pallavan Salai,
Chennai – 600 002.

...Respondents



PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Mandamus, directing the respondents to settle the petitioner's retirement benefits Provident Fund of Rs.24,49,518/-, Gratuity amount of Rs.25,00,000/-, Surrender Leave Salary amount of Rs.1,24,311/-, Terminal leave Salary amount of Rs.11,71,952/- and Commuted value of Pension of Rs.15,87,997/- totaling to Rs.78,33,778 /- together with interest at the rate of 6% per annum from the date of his retirement i.e., 31.03.2024 to till the date on which the said benefits are settled to him and pass such further or other orders as this Court.

For Petitioner : M/s.A.Rahul

For Respondents : Mr.S.Shanmugavel
Additional Government Pleader for R1
Mr.K.Ramaiah
Standing Counsel for R2 & R3
Mr.S.C.Herold Singh
Standing Counsel for R4

ORDER

The instant writ petition has been filed by a retired employee of the respondent transport corporation, seeking a mandamus for releasing the terminal benefits.



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2.A perusal of the affidavit indicates that the petitioner was working as Selection Grade Senior Assistant Engineer had attained superannuation on 31.03.2024. However, his terminal benefits have not been released so far. The petitioner has sent a representation on 11.07.2024. Since there is no response, the present writ petition has been filed.

3.The leaned Standing Counsel appearing for the respondent transport corporation submits that due to paucity of funds, the terminal benefits of those who had retired upto November 2022 alone have been released. Therefore, the petitioner has to await for his seniority for the disbursement of the terminal benefits.

4.Considering the above said facts, this Court is inclined to pass the following orders:

- a)the respondents transport corporation herein are directed to release 50% of the Provident Fund amount on or before 31.12.2024;
- b)the balance 50% of the Provident Fund amount shall be paid on or before 28.02.2025; and
- c)the other terminal benefits shall be released on or before 31.07.2025.



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5. With the above said observations, this writ petition stands allowed to the extent as stated above. No costs.

28.10.2024

NCC : Yes/No
Index : Yes/No
Internet: Yes/No
RJR

To

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R.VIJAYAKUMAR, J.

RJR

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