



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.10.2015

CORAM:

THE HON'BLE MR.JUSTICE T.RAJA

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W.P (MD) Nos.19479 to 19490, 19492 & 19494 of 2015

W.P (MD) No.19479 of 2015

A.Yesappan	... Petitioner in W.P (MD) No.19479/15
S.Tamilselvaraj	... Petitioner in W.P (MD) No.19480/15
S.Harikrishnan	... Petitioner in W.P (MD) No.19481/15
D.Manoharan	... Petitioner in W.P (MD) No.19482/15
A.Alagirisamy	... Petitioner in W.P (MD) No.19483/15
V.Karuppasamy	... Petitioner in W.P (MD) No.19484/15
P.Gunasekaran	... Petitioner in W.P (MD) No.19485/15
S.Ponnusamy	... Petitioner in W.P (MD) No.19486/15
N.Rajaram	... Petitioner in W.P (MD) No.19487/15
M.Vemban	... Petitioner in W.P (MD) No.19488/15
T.R.Shantharam	... Petitioner in W.P (MD) No.19489/15
S.Balakrishnan	... Petitioner in W.P (MD) No.19490/15
V.Vijaya Rengan	... Petitioner in W.P (MD) No.19492/15
L.Edward Judith	... Petitioner in W.P (MD) No.19494/15

Vs.

1. The Tamil Nadu State Transport Corporation (Madurai) Ltd,
Represented by its Managing Director,
Madurai.

2. The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002

... Respondents in all WPs

Prayer: Writ Petitions are filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the respondents to settle retirement benefits of the petitioner is each of the petition including gratuity, the commuted value of pension, leave salary and all other attendant benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Court and further directing the respondents to pay interest at the rate of 18% per annum for the belated payment of the provident fund and social security scheme arrears within the time limit that may be fixed by this Court.



For Petitioners : Mr.A.Rahul in each of the petition
For Respondents : Mr.A.P.Muthupandian
Standing Counsel for TNSTC takes notice
in all their petitions

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COMMON ORDER

The prayer in these Writ Petitions are for issuance of a Mandamus to direct the respondents to pay retirement benefits with interest to the petitioners in view of their respective representations.

2. Mr.A.P.Muthupandian, learned Standing Counsel takes notice for the respondents.

3. It is stated that though the petitioners was allowed to retire from the service of the respondents, till date, the respondent Corporation has not settled the retirement benefits. Hence, the petitioners have come before this Court.

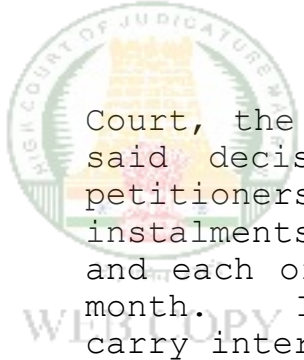
4. In similar circumstances, the Hon'ble Division Bench of this Court while disposing of the batch of writ appeals in W.A(MD)Nos.383 to 457 of 2015, by an order dated 12.06.2015 issued a direction to pay the retirement benefits by way of instalments. The relevant portion of the said judgment reads as follows:-

"2.The said statement is thus taken on records and the respondents will be bound by the same. We have to keep in mind the judicial pronouncement of the Honourable Supreme Court in D.D.TEWARI (D) THR. LRS. Vs. UTTAR HARYANA BIJLI VITRAN NIGAM LTD & ORS (2014 (9) SCALE - 78), wherein it is held that in case of any delay in making the payment of the instalments, the interest payable would become 18% p.a., for the delayed period apart from any other remedy which may be available to the appellants for non-compliance of undertaking given to this court.

3. The instalments to be paid from July 2015 and each instalments should be paid on or before 7th of each month."

5. The learned counsel appearing for the petitioners would submit that the petitioners' case may be considered in the light of the above said decision, since the issue involved in the writ petitions has already been answered in the above said decision by the Hon'ble Division Bench of this Court.

<https://hcservices.courts.gov.in/bisec/> 6. Considering the facts and circumstances of the case and also considering the fact that the issue involved in the writ petitions has already been answered by the Hon'ble Division Bench of this



Court, the Writ Petitions are disposed of in the light of the above said decision. Accordingly, the retirement benefits of the petitioners are directed to be settled by way of 12 equal instalments and the first instalments to be paid from December 2015 and each of the instalments should be paid on or before 7th of each month. It is needless to mention that the entire arrears shall carry interest at the rate of 6% per annum.

7. With the above direction, these writ petitions are disposed of. No costs.

sd/-
Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

To

1. The Tamil Nadu State Transport Corporation (Madurai) Ltd,
Represented by its Managing Director,
Madurai.

2. The Administrator,
Tamil Nadu State Transport Corporation Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002

+ 14 CC TO MR.A.RAHUL, ADVOCATE IN SR NOS.383 62870 TO 62883

TE/AMF/ : 19/11/2015 : 3P/17C

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