

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.04.2016

Coram

The Honourable Mr.Justice T.RAJA

W.P.Nos.14994 to 15002 of 2016

P.Rajendiran .. Petitioner W.P.No.14994 of 2016  
P.A.Murugesan .. Petitioner W.P.No.14995 of 2016  
K.Kanniyappan .. Petitioner W.P.No.14996 of 2016  
G.Perumalsamy .. Petitioner W.P.No.14997 of 2016  
K.P.D. Venugopalan .. Petitioner W.P.No.14998 of 2016  
S.Chandrasekaran .. Petitioner W.P.No.14999 of 2016  
K.Sekar .. Petitioner W.P.No.15000 of 2016  
R.Nandagopal .. Petitioner W.P.No.15001 of 2016  
N.P.Varadhan .. Petitioner W.P.No.15002 of 2016

-vs-

- 1.The Managing Director,  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited,  
Vazhuthareddy, Villupuram. ... R1 in W.P.No.14994 to  
15002 of 2016
- 2.The General Manager,  
Tamil Nadu State Transport Corporation  
(Villupuram) Limited, Vellore Region,  
Vellore. ... R2 in W.P.No.14994 to 14997  
& 14999 to 15002 of 2016  
& R3 in W.P.No.14998 of 2016
- 3.The General Manager,  
TamilNadu State Transport Corporation  
(Villupuram) Limited.,  
Tiruvannamalai Region,  
Tiruvannamalai. ... R2 in W.P.No.14998 of 2016
- 4.The Administrator,  
Tamil Nadu State Transport Corporation,  
Employees Post Retirement Welfare  
Fund Scheme, Thiruvalluvar House,  
Pallavan Salai,  
Chennai. ... R3 in W.P.No.14994 to 14997  
of 2016 & R4 in W.P.14998 of 2016

Petitions filed under Article 226 of the Constitution of India praying for issue of Writ of Mandamus (W.P.No.14994/2016) to direct the respondents to disburse the payments relating to Gratuity, Commutation and Leave Encashment and calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.06.2014 (in W.P.No.14994 of 2016) 01/12/2014 (in W.P.14995/16), 1/1/2014 (in W.P.14996/2016), 1/6/2014 (in W.P. 14997/16 & W.P. 14998/16 respectively and 1/5/2013 (in WP 15000/2016), 1/5/2014 (in W.P. 15001/2016) & 1/10/2012 (in W.P.15002/2016) respectively W.P.14999/2016; filed under article 226 of the constitution of India to issue a Writ of Mandamus, Directing the Respondents to disburse the payments relating to Gratuity by calculating D.A eligible as per newly Per annum with effect from 1/2/2013 within the stipulated time within the stipulated time as may be fixed by this Court.

For Petitioners : Mr.J.Pradeep  
For Respondents : Mr.P.Paramasivados

#### O R D E R

The petitioners have filed these writ petitions for issuance of writ of mandamus directing the respondents to settle the petitioners retirement benefits including leave salary, gratuity and all other attendant retirement benefits etc., with interest at the rate of not less than 12% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 12% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement to till date of actual payment to the petitioners within the time that may be stipulated by this Hon'ble Court.

2. Heard the learned counsel for the petitioner. Mr.P.Paramasivados, learned counsel takes notice on behalf of the respondents.

3. The case of the petitioners is that they joined the service of the respective respondent - Transport Corporation and retired from service in 2013. Now the grievance of the petitioners is that their retirement benefits, namely, gratuity, commutation, leave salary, etc., have not been till date settled by the respondents.

4. The issue is squarely covered by the various orders passed by this Court, in the light of the Hon'ble Division Bench judgment in W.A.(MD) Nos.383 to 457 of 2015 dated 12.6.2015 (K.Rajendran and others v. The Tamil Nadu State Transport Corporation (Madurai) Limited represented by its Managing Director, Madurai and others).

5.Hence, the present writ petitions are disposed of with a direction to the respondents to settle the entire terminal benefits due and payable to the petitioners through twelve equal monthly instalments carrying interest of 6% p.a. The instalments should commence from May, 2016 and each of the instalments should be paid on or before 7<sup>th</sup> of each month. In case of any delay in 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 petitioner for such non-payment of the instalments. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

- 1.The Managing Director,  
Tamil Nadu State Transport  
Corporation (Villupuram) Limited,  
Vazhuthareddy, Villupuram.
- 2.The General Manager,  
Tamil Nadu State Transport Corporation  
(Villupuram) Limited, Vellore Region, Vellore.
- 3.The General Manager,  
TamilNadu State Transport Corporation  
(Villupuram) Limited.,  
Tiruvannamalai Region,  
Tiruvannamalai.
- 4.The Administrator,  
Tamil Nadu State Transport Corporation,  
Employees Post Retirement Welfare  
Fund Scheme, Thiruvalluvar House,  
Pallavan Salai, Chennai.

+1cc to Mr.J.Pradeep, Advocate Sr.25298

W.P.Nos.14994 to 15002  
of 2016

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srg 18/05/2016