

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.04.2016

CORAM:

THE HON'BLE MR. JUSTICE T.RAJA

W.P.Nos.15221 and 15222 of 2016

V.Krupasankar .. Petitioner in WP.No.15221/2016
P.Murugan .. Petitioner in WP.No.15222/2016

Vs

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem - 636 007.
- 2.The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Dharmapuri Region, Dharmapuri.
- 3.The Administrator,
Tamil Nadu State Transport
Corporation Limited,
Employees Post Retirement
Welfare Fund Scheme,
Thiruvallurvar House, Pallavan Salai,
Chennai - 600 002. .. Respondents in all WPs

Common Prayer : Writ Petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus to direct the respondents to disburse the payments relating to Gratuity, Commutation, Surrender Leave Salary (Earned Leave & Old Medical Leave), by calculating D.A. Eligible and 2013 wage settlement effect as per newly implemented, with interest at 12% per annum with effect from 01.07.2015 and 01.03.2014, respectively, within a stipulated time.

For petitioner in all WPs. : Mr.J.Pradeep

For Respondents in all WPs : Mr.R.K.Gandhi

C O M M O N O R D E R

By way of filing these writ petitions, the petitioners seek a direction to the respondent to settle all the terminal benefits due and payable to them with interest at 12% per annum with effect from 01.07.2015 and 01.03.2014, respectively.

2. Since the issues involved in all these writ petitions are one and the same, they are disposed of by this common order. For better appreciation, facts involved in W.P.No.15221 of 2016 are stated below:

The petitioner was initially appointed as Assistant Foreman in the respondent Corporation on 01.04.1983. After rendering 33 years of unblemished service, he retired from service on 30.06.2015. Now the only grievance of the petitioner is that his retirement benefits, namely, gratuity, commutation, leave salary, etc., have not been till date settled by the respondents.

3. Since 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), these 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 7th 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 petitioners for such non-payment of the instalments. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Vazhuthareddy,
Villupuram - 605 602.

2.The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Vellore Region, Vellore - 632009.

3.The Administrator,
Tamil Nadu State Transport
Corporation Limited,
Employees Post Retirement
Welfare Fund Scheme,
Thiruvallurvar House, Pallavan Salai,
Chennai - 600 002.

+2cc to Mr.J.Pradeep, Advocate sr.264297 and 26430

+2cc to Mr.R.K.Gandhi, TNSTC Stg Counsel Sr.26090 and 26091

W.P.Nos.15221 and 15222 of 2016

ev(CO)
srg(10/05/2016)



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