

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:- 28.04.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.16272 to 16277 of 2016

M.Jayamoorthy	...Petitionerin W.P.16272/16
R.Muniyappan	...Petitionerin W.P.16273/16
K.Dhandapani	...Petitionerin W.P.16274/16
K.Balakrishnan	...Petitionerin W.P.16275/16
K.Panneer Selvam	...Petitionerin W.P.16276.16
V.K.Namachivayam	...Petitionerin W.P.16277/16

Versus

- 1.The Manaement of
Tamil Nadu State Transport Corporation (Kovai) Limited,
Rep. By its Managing Director,
Coimbatore.1st Respondent in all WPs
- 2.The Administrator,
Tamil Nadu State Transport Corporation
Employees' Pension Fund Trust,
Thiruvallur Illam,
Anna Salai, Chennai 600 002.2nd Respondent in
all WPs 16272 to 16276/16

Prayer in W.P.16272/16: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to pay the petitioner Rs.4,79,343/- towards gratuity and Rs.62,554/- towards leave salary together with 18% interest per annum and further directing the first and second respondents to pay him interest amount towards the delayed payment of pension commutation amount Rs.2,49,322/- for the period from 01.04.14 to 01.11.13 at the rate of 18% interest, within a time frame be fixed by this court.

Prayer in W.P.16273/16: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to pay the petitioner Rs.3,71,700/- towards leave salary together with 18% interest per annum and further directing the first and second respondents to pay him interest amount towards the delayed payment of pension commutation amount Rs.2,80,000/- for the period from 01.06.13 to 23.10.13 at the rate of 18% interest, within a time frame be fixed by this court.
Prayer in W.P.16274/16: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing

the respondent to pay the petitioner Rs.5,95,558/- towards gratuity, Rs.13,616/- towards leave salary and arrears of salary for the period from 01.09.13 to 31.03.15 payable pursuant new wage settlement dated 13.04.2015 together with 18% interest per annum and further directing the respondents to pay him Rs.2,52,436/- towards the pension commutation amount together with 18% interest per annum within a time frame be fixed by this court.

Prayer in W.P.16275/16: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to pay the petitioner Rs.5,82,283/- towards gratuity, Rs.28,875/- towards leave salary and arrears of salary for the period from 01.09.13 to 31.03.15 payable pursuant new wage settlement dated 13.04.2015 together with 18% interest per annum and further directing the respondents to pay him Rs.2,46,811/- towards the pension commutation amount together with 18% interest per annum within a time frame be fixed by this court.

Prayer in W.P.16276/16: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to pay the petitioner Rs.5,53,976/- towards gratuity, Rs.1,86,468/- towards leave salary and arrears of salary for the period from 01.09.13 to 31.03.15 payable pursuant new wage settlement dated 13.04.2015 together with 18% interest per annum and further directing the respondents to pay him Rs.2,42,893/- towards the pension commutation amount together with 18% interest per annum within a time frame be fixed by this court.

Prayer in W.P.16277/16: Writ petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondent to pay the petitioner Rs.5,59,092/- towards gratuity and Rs.1,34,538/- towards leave salary together with 18% interest per annum within a time frame be fixed by this court.

For Petitioner :: Mr.V.Ajoykhose
in all W.Ps.
For Respondents :: Mr.S.Sairaman
in all W.Ps.

C O M M O N O R D E R

All these writ petitions have been filed by the respective writ petitioners for the abovestated reliefs.

2.Heard the learned counsel for the petitioners. Mr.S.Sairaman, learned counsel takes notice for the respondents.

3.The petitioner in W.P.No.16272 of 2016 joined as Assistant on 17.01.1982 in Tamilnadu State Transport Corporation Kovai Ltd.. After completion of more than 30 years of service, he retired on 31.03.2013, as Senior Grade Assistant on reaching the age of superannuation Now, the grievance of the petitioner is that the above said retirement terminal benefits have not been settled till date by the respondents to him. Further, he has given a representation dated 05.04.2016 to the first respondent but the same has not been considered by them.

4.The petitioner in W.P.No.16273 of 2016 joined as Assistant on 16.03.1977 in Tamilnadu State Transport Corporation Kovai Ltd.. After completion of more than 36 years of service, he retired on 31.05.2013, as Senior Grade Assistant on reaching the age of superannuation Now, the grievance of the petitioner is that the above said retirement terminal benefits have not been settled till date by the respondents to him. Further, he has given a representation dated 06.04.2016 to the first respondent but the same has not been considered by them.

5.The petitioner in W.P.No.16274 of 2016 joined as Conductor on 28.06.1985 in Tamilnadu State Transport Corporation Kovai Ltd.. After completion of more than 29 years of service, he retired on 30.04.2015, as Special Grade Conductor on reaching the age of superannuation Now, the grievance of the petitioner is that the above said retirement terminal benefits have not been settled till date by the respondents to him. Further, he has given a representation dated 07.04.2016 to the first respondent but the same has not been considered by them.

6.The petitioner in W.P.No.16275 of 2016 joined as Conductor on 15.02.1985 in Tamilnadu State Transport Corporation Kovai Ltd.. After completion of more than 30 years of service, he retired on 30.04.2015, as Special Grade Conductor on reaching the age of superannuation Now, the grievance of the petitioner is that the above said retirement terminal benefits have not been settled till date by the respondents to him. Further, he has given a representation dated 07.04.2016 to the first respondent but the same has not been considered by them.

7.The petitioner in W.P.No.16276 of 2016 joined as Driver on 08.09.1986 in Tamilnadu State Transport Corporation Kovai

Ltd.. After completion of more than 28 years of service, he retired on 30.04.2015, as Special Grade Driver on reaching the age of superannuation. Now, the grievance of the petitioner is that the above said retirement terminal benefits have not been settled till date by the respondents to him. Further, he has given a representation dated 13.04.2016 to the first respondent but the same has not been considered by them.

8. The petitioner in W.P.No.16277 of 2016 joined as Assistant on 22.05.1984 in Tamilnadu State Transport Corporation Kovai Ltd.. After completion of more than 29 years of service, he retired on 31.05.2013, as Superintendent on reaching the age of superannuation. Now, the grievance of the petitioner is that the above said retirement terminal benefits have not been settled till date by the respondents to him. Further, he has given a representation dated 15.04.2016 to the first respondent but the same has not been considered by them.

9. Since the common 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 retirement benefits due and payable to the petitioners through twelve equal monthly installments carrying interest of 6% p.a. The installments should commence from June 2016 and each of the installments should be paid on or before 7th of each month. In case of any delay in the payment of the installments, 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 installments. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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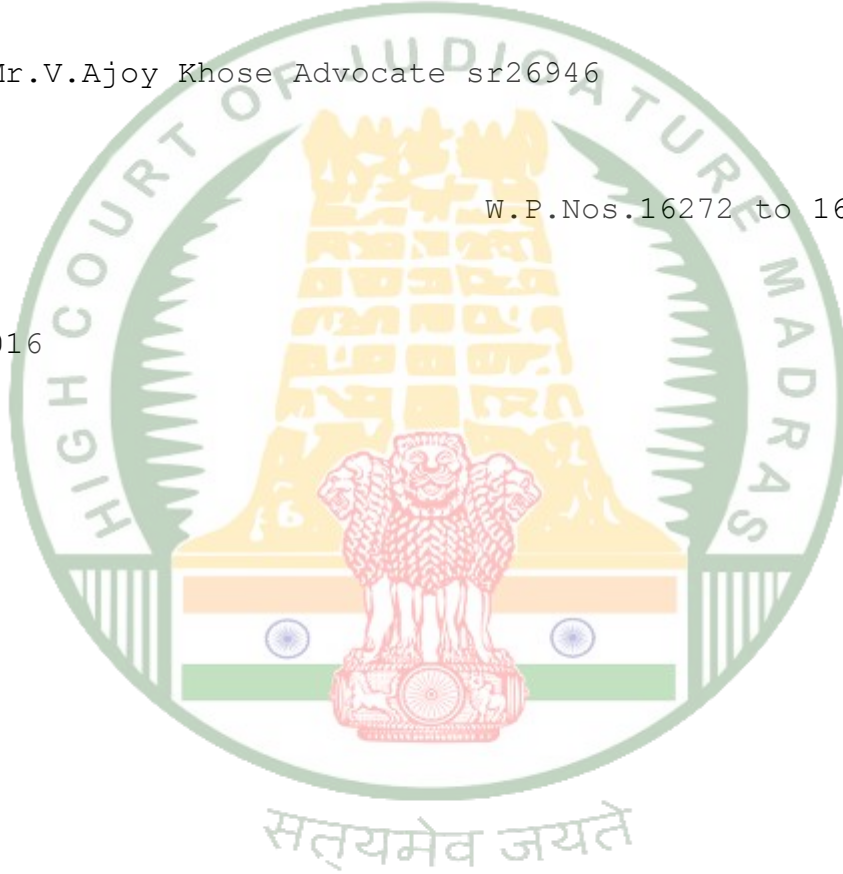
1.The Managing Director,
Tamil Nadu State Transport Corporation Kovai Limited,

2.The Administrator,
Tamil Nadu State Transport
Employees Pension Fund Trust
Thiruvallur House,
Chennai 600 002.

+1 cc to Mr.V.Ajoy Khose Advocate sr26946

W.P.Nos.16272 to 16277 of 2016

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