

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

CORAM :

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.16307 and 16308 of 2016

1.Mr.D.Payani ... PETITIONER IN W.P.16307/16
2.Mr.R.Kesavan ... PETITIONER IN W.P.16308/16

Vs

1. The Government of Tamil Nadu
Rep. by its Principal Secretary
Transport Department Secretariat
Fort St. George Chennai-9.
 2. The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd
3/137 Salamedu Valuthareddy Post
Villupuram-605 602.
 3. The Financial Advisor and
Chief Accounts Officer
Tamil Nadu State Transport Corporation (VPM) Ltd
3/137 Salamedu, Valuthareddy Post,
Villupuram-605 602.
 4. The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-2.
- ... RESPONDENTS IN BOTH WPS

Prayer in W.P.16307/16:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 2 to 4 to settle the petitioner's retirement benefits such as Gratuity amount Commuted Value of Pension Encashment of Leave Salary (EL) Encashment of leave salary (ML-98) Pension arrears amount and PF Arrears Amount after duly taken into account the enhanced Dearness Allowance and settlement benefits with 18% interest on delayed payment to the petitioner from 31.3.2015 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in WA (MD) Nos.383 to 457 of 2015

dated 12.6.2015

Prayer in W.P.16308/16:Writ petition filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents 2 to 4 to settle the petitioner's retirement benefits such as Gratuity amount Commuted Value of Pension, Encashment of Leave Salary (EL), Social Security Scheme, Pension arrears amount and PF Arrears Amount and Medical & Engg. College Subscription amount after duly taken into account the enhanced Dearness Allowance and settlement benefits with 18% interest on delayed payment to the petitioner from 31.7.2015 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in WA (MD) Nos.383 to 457 of 2015 dated 12.6.2015.

For Petitioner : Mr.V.S.Jagadeesan
in both W.Ps.

For Respondents : Mr.R.Vijayakumar for R1
in both W.Ps. Additional Government Pleader

Mr.S.Sairaman for R2 to R4

C O M M O N O R D E R

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

2.Heard the learned counsel for the petitioners. Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for the first respondent. Mr.S.Sairaman, learned counsel takes notice for the respondents 2 to 4.

3.The petitioner in W.P.No.16307 of 2016 joined as Conductor on 25.09.1991 at Thanthai Periyar Transport Corporation Ltd. After completion of more than 24 years of service, he retired on 31.03.2013, 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 24.02.2016 to the second respondent but the same has not been considered by them.

4.The petitioner in W.P.No.16308 of 2016 joined as Conductor on 25.09.1991 at Thanthai Periyar Transport Corporation Ltd. After completion of more than 24 years of service, he retired on 31.07.2015, as Selection 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 02.03.2016 to the second respondent but the same has not been considered by them.

5. 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.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary
Government of Tamil Nadu
Transport Department Secretariat
Fort St. George Chennai-9.
2. The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd
3/137 Salamedu
Valuthareddy Post
Villupuram-605 602.
3. The Financial Advisor and
Chief Accounts Officer
Tamil Nadu State Transport Corporation (VPM) Ltd
3/137 Salamedu,

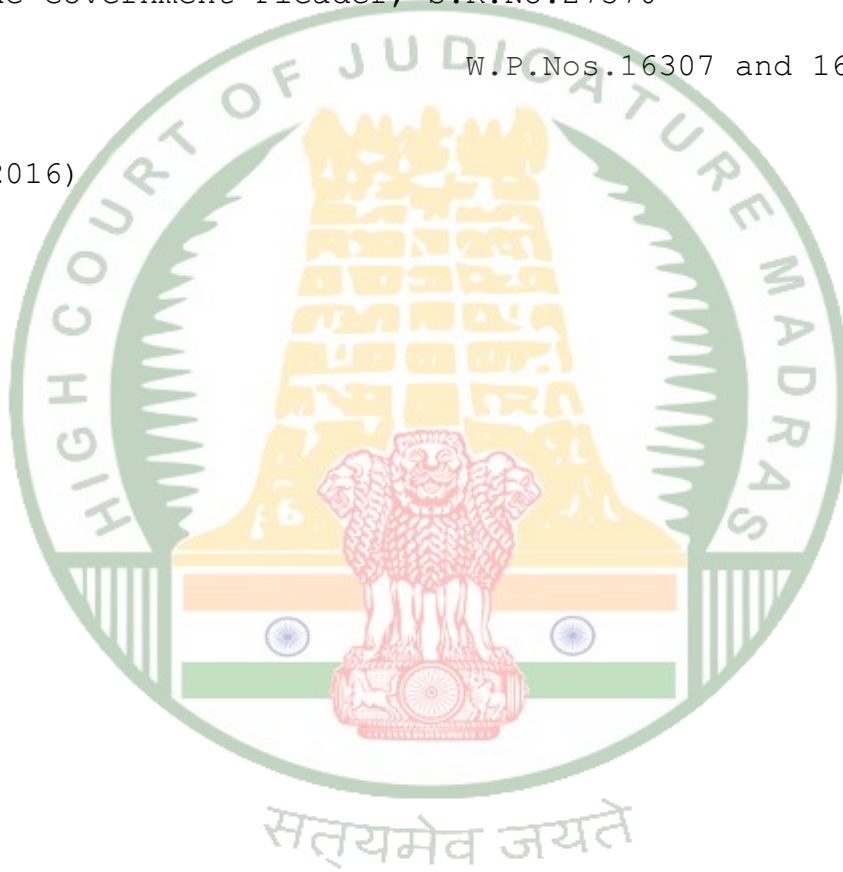
Valuthareddy Post,
Villupuram-605 602.

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

+lcc to Mr.V.S.Jagadeesan, Advocate, S.R.No.26954, 26955[10/6/16]
+lcc to the Government Pleader, S.R.No.27370

W.P.Nos.16307 and 16308 of 2016

GJ II(CO)
CA(31/05/2016)



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