

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.17356, 17398 and 17442 of 2016

S.Gopalakrishnan .. Petitioner in W.P.No.17356/2016
N.Nithiyanandham .. Petitioner in W.P.No.17398/2016
N.Perumal .. Petitioner in W.P.No.17442/2016

vs

M/s.State Express Transport Corporation
rep.by its Managing Director
Pallavan Salai
Chennai 600 002. .. Respondent in all W.Ps.

Writ petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to settle the terminal benefits of the petitioners, (i) viz., Provident Fund Amount of Rs.2,05,000/-; Earned Leave of Rs.3,46,152/-; commutation of Rs.3,36,650/-; Erode Engineering College/Polytechnic/Perundurai Medical College Rs.4,500/-; Social Security Scheme Rs.28,711/-; and unearned leave on private affairs of Rs.70,000/- altogether a sum of Rs.9,91,013/- with interest at the rate of 12% taking into consideration the representation of the petitioner dated 22.04.2016 [W.P.No.17356 of 2016]; (ii) viz., earned leave and medical leave encashment of Rs.2,94,347/-; Social Security Scheme of Rs.31,140/-; Gratuity Difference for Dearness Allowance of Rs.14,594/-; altogether a sum of Rs.3,40,081/- with interest at the rate of 12% taking into consideration the representation of the petitioner dated 25.04.2016 [W.P.No.17398 of 2016] and (iii) viz., Provident Fund amount of Rs.2,75,000/- Social Security Scheme of Rs.35,000/-; Medical Leave on Private Affairs of Rs.65,907/-; difference in Dearness Allowance of Rs.10,000/-; Difference in House Rent Allowance of Rs.20,000/-; Earned Leave Surrender of Rs.3,44,181/- altogether a sum of Rs.7,50,088/- with interest at the rate of 12% taking into consideration the representation of the petitioner dated 16.03.2016 [W.P.No.17442 of 2016] respectively.

For Petitioner : Mr.D.Soundarraaj
in all W.Ps.

For Respondent : Mr.P.Paramasivadoss
in all W.Ps.

COMMON ORDER

The petitioner, S.Gopalakrishnan in W.P.No.17356 of 2016, who joined the services as Junior Assistant in the respondent Transport Corporation retired from service on 30.06.2014. At the time of retirement, he was working as a Senior Superintendent in the said Corporation.

(ii) The petitioner, N.Nithyanandham in W.P.No.17398 of 2016 was appointed as Gardener in the respondent Corporation and retired from service on 31.05.2012.

(iii) Similarly, the petitioner, N.Perumal in W.P.No.17442 of 2016 was initially appointed as Junior Assistant in the respondent corporation and subsequently promoted to the post of Superintendent and retired from service on 30.06.2013. At the time of retirement, he was working as a Selection Grade Senior Superintendent.

2. The grievance of the petitioners in all these writ petitions is that even though they have retired from the services of the respondent Corporation more than two years ago, till date their terminal benefits have not been settled. In this regard, they have also submitted a representation to the respondent. Since there was no response, they are before this Court by way of these writ petitions.

3. When the matter is taken up today for hearing, learned counsel appearing for the petitioners brought to the notice of this Court the common judgment dated 12.06.2015 passed by the Madurai Bench of this Court in W.A.(MD) Nos.383 to 457 of 2015 wherein under similar circumstances, the respondent-Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. He would further submit that following the same, this Court has passed similar orders in several writ petitions. Accordingly, he would pray that a similar order may be passed in these writ petitions also.

4. Heard the learned counsel for the petitioner and Mr.P.Paramasivadoss, learned Standing Counsel for the respondent transport corporation, who took notice on behalf of the respondent.

5. Considering the facts and circumstances of the case and in view of the earlier orders passed by this Court in similar circumstances, without going into the merits of the matter, the respondent-Corporation is directed to disburse the terminal benefits to each of the petitioners in twelve equal monthly instalments, in the light of the common judgment passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 dated 12.06.2015. It is also made clear that the first instalment shall commence from 01.07.2016.

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

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To
The Managing Director
State Express Transport Corporation
Pallavan Salai
Chennai 600 002.

+3 ccs to M/s.P.Paramasivadoss Advocate sr.29262
29263 & 29273

+3 ccs to M/s.D.Soundarraaj Advocate sr.29046 to 29048

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