

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:01.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.17405 and 17406 of 2016

S.Vivekananthan .. Petitioner in
W.P.No.17405/2016

S.Manikandaswamy ... Petitioner in
W.P.No.17406/2016

vs

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy, Villupuram 605 602.
 2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vellore Region
Vellore 632 009.
 3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House
Pallavan Salai
Chennai 600 002.
- .. Respondents in both W.Ps.

Writ petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents to disburse the payments relating to gratuity, pension commutation, leave encashment by calculating D.A. eligible as per newly implemented with interest at 12% per annum with effect from 01.11.2015 and 01.09.2015 respectively within the stipulated period that may be fixed by this Court.

For Petitioner : Mr.J.Pradeep
in both W.Ps.

For Respondents : Mr.P.Paramasivadosh
in both W.Ps.

COMMON ORDER

The petitioner in W.P.No.17405 of 2016, S.Vivekananthan who joined the services as Daily Paid Tradesman and later confirmed as Tradesman in the second respondent corporation retired from service on 31.10.2015 as Senior Tradesman in the Pernambut Depot of the said corporation.

2. The petitioner in W.P.No.17406 of 2016 S.Manikandaswamy, who joined the services as Junior Assistant Trainee and later confirmed as Junior Assistant in the second respondent corporation retired from service on 31.08.2015 as Senior Assistant in the Region Office, Vellore of the said Corporation.

3. According to the petitioners, though they were retired from their respective services as early as 31.10.2015 and 21.08.2015 respectively, till date they were not paid with their terminal benefits such as gratuity, commutation, leave encashment, etc. Therefore, they have submitted representations dated 20.04.2016 and 21.03.2016 respectively to the first and second respondents. Since there was no response, the present writ petitions have been filed.

4. 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 the writ petitions also.

5. Heard the learned counsel for the petitioners and Mr.P.Paramasivadosh, learned Standing Counsel for the respondent transport corporation, who took notice on behalf of the respondents.

6. 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 respondents 1 and 2 are directed to disburse the aforementioned retiral benefits to the petitioner 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.

7. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602.
2. The General Manager
Tamil Nadu State Transport
Corporation(Villupuram) Limited
Vellore Region
Vellore 632 009.
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Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House
Pallavan Salai
Chennai 600 002.

2 ccs to Mr.J.Pradeep, Advocate, sr.29099 & 29098
2 ccs to P.Paramasivadoss, Advocate, sr.29270 & 29260

W.P.Nos.17405 and 17406 of 2016

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