

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.18860 and 18861 of 2016

L.Pandian

.. Petitioner in
W.P.No.18860 of 2016

V.Rajagopal

.. Petitioner in
W.P.No.18861 of 2016

Vs.

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai-600 009.

2. The Managing Director
Tamil Nadu State Transport Corporation (V) Limited
Villupuram Region
Villupuram 605 602.

.. 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 2nd respondent to disburse the retirement benefits of (i) gratuity amount of Rs.4,84,962/- and leave surrender salary of Rs.2,02,320/- and (ii) Gratuity amount of Rs.4,50,000/- and Leave Surrender salary of Rs.2,00,000/- with 18% interest on delayed payment to the petitioners, who retired from service on 30.06.2013 as Traffic Inspector and 31.10.2013 as Checking Inspector respectively from the 2nd respondent's office.

For Petitioner : Mr.D.Veerasekaran
in both W.Ps.

For Respondents : Mr.S.Sairaman
in both W.Ps. Standing Counsel
for Transport Corporation

COMMON ORDER

By consent, the Writ Petitions are taken up and disposed of at the admission stage itself.

2. The petitioners, who joined the service of the respondent- Transport Corporation as Conductors retired from service as Traffic Inspector and Checking Inspector on 30.06.2013 and 31.10.2013 respectively. The grievance of the petitioners is that, though, they have retired from the services of the second respondent-Corporation as early as in the year 2013 itself, till date, they were not paid with their retirement benefits of gratuity and Earned leave surrender salary. Therefore, they submitted representation on 25.04.2016, seeking to pay the retirement benefits of Rs.6,87,282/- and Rs.6,50,000/- respectively with 18% interest on delayed payment. However, till date, the same has not been considered. Hence, the present writ petitions.

3. Mr.D.Veerasekaran, the 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 Transport Corporation undertook to pay the amount due and payable to the petitioner 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. Mr.S.Sairaman, the learned Standing Counsel, who took notice on behalf of the respondents/Transport Corporation, would affirm that the issue involved in this case is squarely covered by the judgment passed by the Madurai Bench of this Court in W.A.(MD) Nos.383 to 457 of 2015, dated 12.06.2015.

5. Considering the fact that the issue involved in these Writ Petitions is squarely covered by the orders passed by this Court in similar circumstances, without going into the merits of the matter, the 2nd respondent is 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 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others), dated 12.06.2015. It is also made clear that the first instalment shall commence from 01.07.2016.

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

vj2

-s/d-

Assistant Registrar(CS-II)

True Copy

Sub-Assistant Registrar

To

1. The Principal Secretary to Government
Transport Department
Fort St.George
Chennai-600 009.
2. The Managing Director
Tamil Nadu State Transport Corporation (V) Limited
Villupuram Region
Villupuram 605 602.

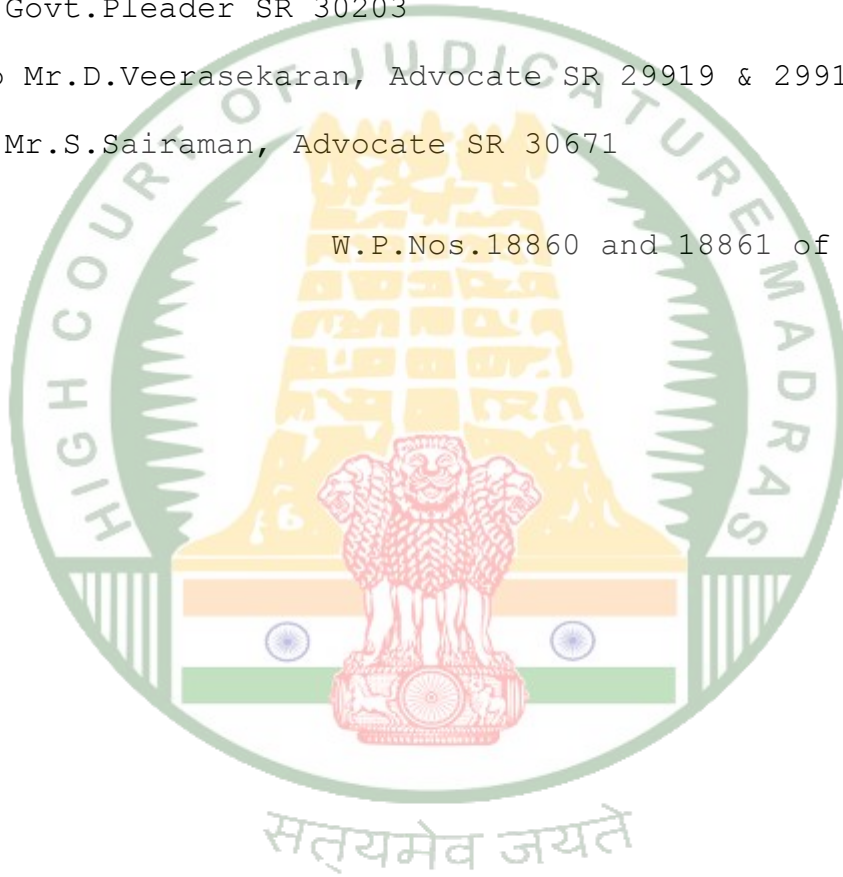
+ 1 cc to Govt.Pleader SR 30203

+ 2 ccs to Mr.D.Veerasekaran, Advocate SR 29919 & 29917

+ 1 cc to Mr.S.Sairaman, Advocate SR 30671

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