

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.19156, 19157, 19167,
19270 and 19271 of 2016

W.P.Nos.19156, 19167, 19270 and 19271 of 2016:

L.Selvaraj .. Petitioner in W.P.No.19156/2016

M.Sekar ... Petitioner in W.P.No.19167/2016

M.Thiruvengadam .. Petitioner in W.P.No.19270/2016

K.Ganesan ... Petitioner in W.P.No.19271/2016

vs

1. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602.I Respondent in W.P.19270/16
 2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Cuddalore Region
Cuddalore 607 001. ... Respondents 1 & 2 in
W.P.Nos.19156, 19167,
and 19271 of 2016
 3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House
Pallavan Salai, Chennai 600 002. ... 3rd Respondent in W.P.Nos.
19156, 19167 and
19271/2016
- The General Manager
Tamilnadu State Transport Corporation
(Villupuram) Limited
Kancheepuram Region
Kancheepuram- 631 552
...II Respondent in
W.P.19270/16

W.P.No.19157 of 2016:

K.Namasivayam

.. Petitioner

vs

1. The Secretary to Government
Transport Department
Fort St.George, Secretariat
Chennai 600 009.

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

.. Respondents

Writ petitions filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondents (i) to settle the petitioner's retirement benefits including Leave Salary, Gratuity, commutation and settlement arrears etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.06.2014 to till date of actual payment to the petitioner [W.P.No.19156 of 2016]; (ii) to settle the petitioner's retirement benefits including Gratuity, leave on private affairs and D.A.arrears of pension and all other retirement benefits etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.09.2012 to till date of actual payment to the petitioner [W.P.No.19157 of 2016]; (iii) to settle the petitioner's retirement benefits including Leave Salary, Gratuity, commutation and settlement arrears etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 31.01.2016 to till date of actual payment to the petitioner [W.P.No.19167 of 2016]; (iv) to settle the petitioner's retirement benefits including Gratuity etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay

interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 31.10.2012 to till date of actual payment to the petitioner [W.P.No.19270 of 2016]; and (v) to settle the petitioner's retirement benefits including Leave Salary, Gratuity, commutation and settlement arrears etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 31.03.2014 to till date of actual payment to the petitioner [W.P.No.19271 of 2016] respectively within the time that may be stipulated by this Court.

For Petitioner : Mr.T.Pappaiah Dharmarajan
in all W.Ps.

For Respondents : Mr.S.Sairaman
in all W.Ps. Standing Counsel for Transport
Corporation
Mr.Dig Vijay Pandian for R1
in W.P.No.19157/2016

COMMON ORDER

Inasmuch as the issue raised in all these writ petitions are one and the same, viz., seeking a direction to the respondent-Transport Corporation to disburse the terminal benefits of the petitioners, all these petitions are taken up together and disposed of by this common order.

2. The grievance of the petitioners is that even though they have retired from the services of the respondent- Transport Corporation two to three years ago, till date their terminal benefits have not been settled. In this regard, they have also submitted a representation to the respondents. 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 petitioners; Mr.Dig Vijay Pandian, learned Additional Government Pleader appearing on behalf of the State and Mr.S.Sairaman, learned Standing Counsel for the respondent -Transport corporation, who took notice on behalf of the respondents.

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 respective respondent-Corporations are 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 01.08.2016.

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

Sd/-
Asst.Registrar (CCC)

/true copy/

Sub Asst. Registrar

vj2

To

1. The Secretary to Government
Transport Department
Fort St.George, Secretariat
Chennai 600 009.
2. The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy
Villupuram 605 602.
3. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Cuddalore Region
Cuddalore 607 001.

4. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House
Pallavan Salai, Chennai 600 002.

5. The General Manager
Tamilnadu State Transport Corporation
(Villupuram) Limited
Kancheepuram Region
Kancheepuram- 631 552

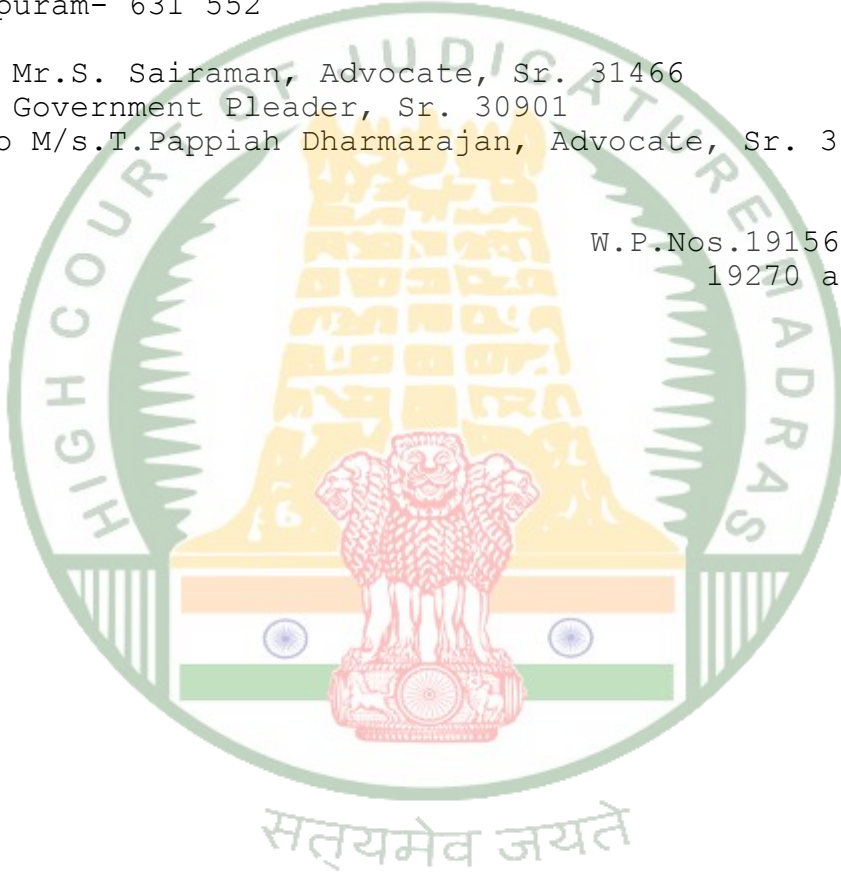
1 cc to Mr.S. Sairaman, Advocate, Sr. 31466

1 cc to Government Pleader, Sr. 30901

5 ccs to M/s.T.Pappiah Dharmarajan, Advocate, Sr. 30455 to 30459

W.P.Nos.19156, 19157, 19167,
19270 and 19271 of 2016

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