

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.19252 to 19255 of 2016

M.Dharmalingam .. Petitioner in W.P.No.19252/2016
N.Madhiyazhakan .. Petitioner in W.P.No.19253/2016
K.S.Shanmugavelayutham .. Petitioner in W.P.No.19254/2016
R.Rathakrishnan .. Petitioner in W.P.No.19255/2016

vs

1. The Government of Tamil Nadu
rep.by its Principal Secretary
Transport Department
Secretariat, Fort St.George
Chennai 600 009.
2. The Managing Director
Tamil Nadu State Transport Corporation
(CBE) Ltd., Head Office
No.37, Mettupalayam Road
Coimbatore 641 043.
3. The Financial Advisor
and Chief Accounts Officer
Tamil Nadu State Transport Corporation
(CBE) Ltd., Head Office
No.37, Mettupalayam Road
Coimbatore 641 043. .. Respondents 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 respondents 2 and 3 (i) to settle the petitioner's terminal benefits such as gratuity amount, leave on private affairs, leave encashment (EL) amount and M.L.98 amount, Earned Leave Surrender for 4 years, pension D.A.arrears, P.F.arrears and other attendant benefits with interest of 18% on delayed payment to the petitioner from 31.07.2013 the date of retirement to till the date of settlement of the terminal benefits to the petitioner [W.P.No.19252 of 2016]; (ii) to settle the

petitioner's terminal benefits such as Gratuity amount, Provident Fund amount, leave on private affairs, leave encashment (EL) amount and M.L.98 amount, Earned Leave surrender for 4 years, Social Security Scheme and Reimbursement of medical college and engineering college amount and other attendant benefits with 18% interest on delayed payment to the petitioner from 31.12.2015 the date of retirement to till the date of settlement of the terminal benefits to the petitioner [W.P.No.19253 of 2016]; (iii) to settle the petitioner's terminal benefits such as Gratuity amount, Provident Fund amount, leave on private affairs, leave encashment (EL) amount and M.L.98 amount, Social Security Scheme and Reimbursement of medical college and engineering college amount and other attendant benefits with 18% interest on delayed payment to the petitioner from 30.04.2016 the date of retirement to till the date of settlement of the terminal benefits to the petitioner [W.P.No.19254 of 2016] and (iv) to settle the petitioner's terminal benefits such as Gratuity amount, Provident Fund amount, leave on private affairs, leave encashment (EL), Social Security Scheme and Reimbursement of medical college and engineering college amount and other attendant benefits with 18% interest on delayed payment to the petitioner from 31.03.2016 the date of retirement to till the date of settlement of the terminal benefits to the petitioner [W.P.No.19255 of 2016] respectively by following the order passed in W.A.(MD) Nos.383 to 457 of 2015 dated 12.06.2015.

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

For Respondent-1: Mr.M.Dig Vijaya Pandian
in all W.Ps. Additional Government Pleader
for R1

For R2&R3
in all WP's. Mr.P.Paramasivados
Standing Counsel for Transport
Corporation

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.K.Rajendra Prasad, learned Government Advocate appearing on behalf of R1 and Mr.P.Paramasivadosh, 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.

सत्यमेव जयते
Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Principal Secretary
to Government of Tamil Nadu
Transport Department
Secretariat, Fort St.George
Chennai 600 009.
2. The Managing Director
Tamil Nadu State Transport Corporation
(CBE) Ltd., Head Office
No.37, Mettupalayam Road
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3. The Financial Advisor
and Chief Accounts Officer
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(CBE) Ltd., Head Office
No.37, Mettupalayam Road
Coimbatore 641 043.

+4ccs to Mr. V.S. Jagadeesan, Advocate, S.R.No.30549

+1cc to the Government Pleader, S.R.No.30879

SV(CO)
EU(27/06/2016)

W.P.Nos.19252 to 19255 of 2016

सत्यमेव जयते

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