

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:08.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.19257 and 19314 of 2016

S.Somasundaram .. Petitioner in W.P.No.19257/2016

N.Ravichandran .. Petitioner in W.P.No.19314/2016

vs

M/s.State Express Transport Corporation
rep.by its Managing Director
Pallavan Salai
Chennai 600 002. .. Respondent in both 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.2,91,587/-; encashment of 170 days of earned leave amount of Rs.1,88,520/-; Commutation amount of Rs.3,50,000/-; Social Security Scheme amount of Rs.35,000/- and refund of deposit amount paid towards Erode Engineering College, Perundurai Medical College and Polytechnic of Rs.4,500/- altogether a sum of Rs.8,69,607/- with interest at the rate of 6% taking into consideration of the representation of the petitioner on various dates including the one on 01.06.2016 and (ii) viz., Provident Fund Amount of Rs.3,42,773/-; commutation of pension of Rs.3,77,712/-; leave salary of Rs.4,17,117/-; Social Security Scheme Benefit of Rs.29,729/- and unearned medical leave salary for 45 days Rs.67,500/-; altogether a sum of Rs.12,34,831/- with interest at the rate of 12% taking into consideration of the representation of the petitioner dated 25.05.2016 respectively.

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

For Respondent : Mr.P.Paramasivados
in both W.Ps. Standing Counsel for respondent
Transport Corporation

COMMON ORDER

In as much as the issue raised in both 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, both 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 Corporation as early as 31.08.2014 and 31.05.2015 respectively, 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 and Mr.P.Paramasivados, 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 01.08.2016.

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

-s/d-
Assistant Registrar(CSVI)

True Copy

Sub-Assistant Registrar

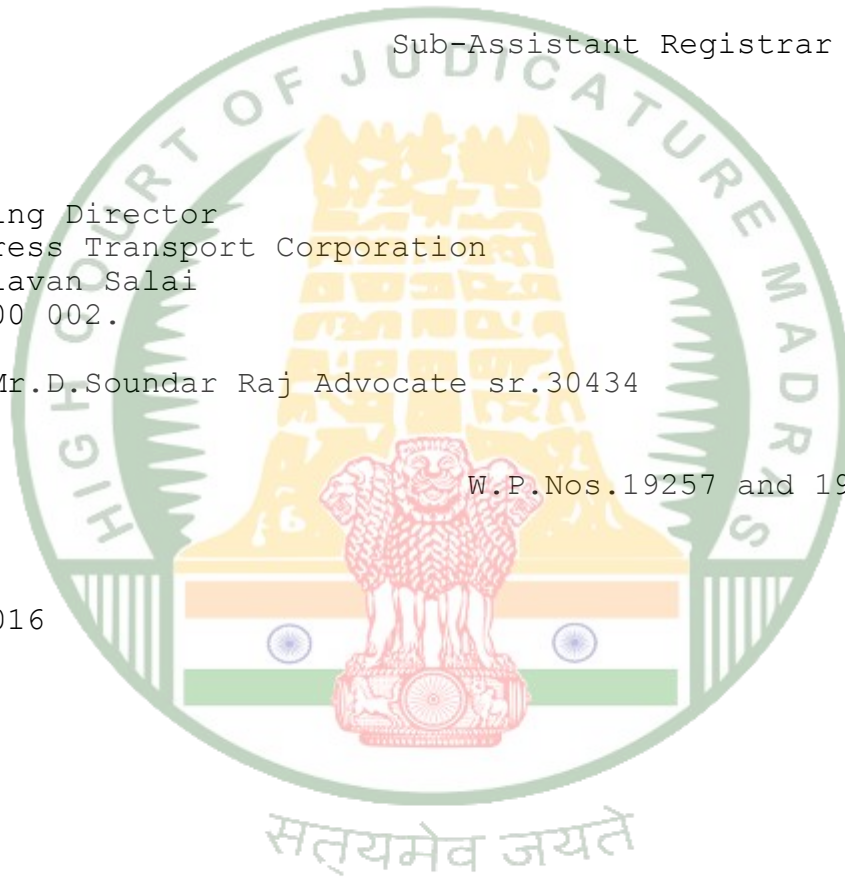
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To

The Managing Director
State Express Transport Corporation
No.2, Pallavan Salai
Chennai 600 002.

+1 cc to Mr.D.Soundar Raj Advocate sr.30434

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