

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.19283, 19284 and 19308 of 2016

V.T.Sundaram .. Petitioner in
W.P.No.19283 of 2016

K.P.Loganathan .. Petitioner in
W.P.No.19284 of 2016

A.C.Subramanian .. Petitioner in
W.P.No.19308 of 2016

Vs.

The Government of Tamil Nadu
rep.by Principal Secretary to Government
Transport Department
Fort St.George
Chennai-600 009. .. 1st respondent in
all W.Ps.

The Managing Director
Tamil Nadu State Transport Corporation
(CBE) Limited, 37, Mettupalayam Road
Coimbatore 641 043. .. 2nd respondent in
W.P.Nos.19283
and 19284 of 2016

The Managing Director
Tamil Nadu State Transport Corporation
(V) Limited, Villupuram Region
Villupuram 605 602. .. 2nd respondent in
W.P.No.19308 of 2016

The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai 600 002. .. 3rd Respondent in
W.P.Nos.19283 and
19308 of 2016

The General Manager
Tamil Nadu State Transport Corporations
(CBE) Ltd., Erode Regional Office
Chennimalai Road
Erode 638 001.

.. 3rd respondent in
W.P.No.19284 of 2016

Writ Petitions filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing respondents 2 and 3 to disburse the retirement benefits of (i) pension commutation amount of Rs.3,21,848/-; gratuity amount of Rs.7,79,606/- and Earned Leave Salary amount of Rs.5,58,301/-; Provident Fund Contribution amount of Rs.5,21,256/-; Employees Contribution Welfare amount of Rs.35,000/- and wage settlement arrears amount of Rs.52,000/- totalling a sum of to Rs.22,68,011/- [Twenty two lakhs sixty eight thousand and eleven only] with 18% interest on delayed payment to the petitioner who has retired from service on 31.07.2015 as Senior Assistant in the second respondent's office [W.P.No.19283 of 2016]; (ii) Gratuity amount of Rs.6,54,404/- and Earned Leave Salary amount of Rs.4,97,237/-, totalling a sum of Rs.11,51,641/- [Rupees eleven lakhs fifty one thousand and six hundred and forty one only] with 18% interest on delayed payment to the petitioner who has retired from service on 31.07.2014 as Superintendent in the second respondent's office [W.P.No.19284 of 2016] and (iii) Gratuity amount of Rs.4,25,000/- and Leave Surrender Salary of Rs.15,000/- and pension commutation amount of Rs.3,25,000/- with 18% interest on delayed payment to the petitioner who has retired from service on 30.04.2015 as Special Grade Conductor in the second respondent's office [W.P.No.19308 of 2016] respectively.

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

For Respondents : Mr.P.Chinnadurai
in all W.Ps. Government Advocate for R1

For Respondents : Mr.P.Paramasivadosh
in all WPs Standing Counsel
for Transport Corporation
for RR2 to 3.

COMMON ORDER

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

2. The petitioners, who joined the service of the second respondent- Transport Corporation retired from their services on 31.07.2015, 31.07.2014 and 30.04.2015 respectively. The grievance of the petitioners is that, though, they have retired from the services of the second respondent-Corporation one to two years ago, till date, they were not paid with their retirement benefits. Therefore, they submitted representation seeking to pay their retirement benefits 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.P.Paramasivadosh, 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 respective 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 01.08.2016.

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

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vj2

To

1. The Principal Secretary to Government
of Tamil Nadu
Transport Department
Fort St.George
Chennai-600 009.
2. The Managing Director
Tamil Nadu State Transport Corporation
(CBE) Limited, 37, Mettupalayam Road
Coimbatore 641 043.
3. The Managing Director
Tamil Nadu State Transport Corporation
(V) Limited, Villupuram Region
Villupuram 605 602.
4. The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai 600 002.
5. The General Manager
Tamil Nadu State Transport Corporations
(CBE) Ltd., Erode Regional Office
Chennimalai Road
Erode 638 001.

1 cc to Government Pleader, sr.30937

W.P.Nos.19283, 19284 and 19308 of 2016

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