

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition Nos. 20667, 20792, 20793, 20794, 20753,
20754, 20755, 20756, 20757, 20758, 20759, 20760, 20761, 20762,
20763, 20764, 20765, 20766, 20767, 20768 and 20769 of 2016

C. Perumal	..	Petitioner in WP.20667/16
M.Panneerselvam	..	Petitioner in WP.20792/16
V.Balan	..	Petitioner in WP.20793/16
G.Sharmila	..	Petitioner in WP.20794/16
M.S.V.Mahadevan	..	Petitioner in WP.20753/16
A.Mallika	..	Petitioner in WP.20754/16
C.Pitchamuthu	..	Petitioner in WP.20755/16
V.Kuppuraj	..	Petitioner in WP.20756/16
V.Mariappan	..	Petitioner in WP.20757/16
R.Natarajan	..	Petitioner in WP.20758/16
A.Ravichandran	..	Petitioner in WP.20759/16
D.Narayanan	..	Petitioner in WP.20760/16
R.Chandrasekaran	..	Petitioner in WP.20761/16
T.Natesan	..	Petitioner in WP.20762/16
C.Marappan	..	Petitioner in WP.20763/16
P.Kitnasamy	..	Petitioner in WP.20764/16
S.Vasanthan	..	Petitioner in WP.20765/16
P.Natarajan	..	Petitioner in WP.20766/16
K.Thangavelu	..	Petitioner in WP.20767/16
P.Natesan	..	Petitioner in WP.20768/16
M.Dhandapani	..	Petitioner in WP.20769/16

Versus

1. The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vazhuthareddy
Villupuram - 605 602.
2. The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vellore Region, Vellore
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvallur House, Pallavan Salai
Chennai - 600 002. .. Respondents in WP.20667/16

4. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem Division NO.12
Ramakrishna Road Post Box No.713 Salem-
636 007 ..1st Respondent in WP.20792/16 to
WP.20794/16, WP.20753/16 to
20769/16
- 2 The General Manager
Tamil Nadu State Transport Corporaiton
(Salem) Ltd Salem Division NO.12
Ramakrishna Road Post Box No.713 Salem-
636 007. ..2nd Respondent in WP.20792/16 to
WP.20794/16, WP.20753/16 to
20769/16
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust Thiruvalluvar
House Pallavan Salai
Chennai-600002. ..3rd respondent in WP.20792/16,
WP.20794/16, 20753/16 to 20756/16,
20760/16, WP.20761/16, 20763/16 to
20766/16, 20768/16 and 20769/16.

WP.20667/16:

Writ Petitions are filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment, Dearness Allowance for three months, pension arrears and settlement arrears amount by calculating Dearness Allowance eligible as per newly implemented scheme with interest at the rate of 12% per annum with effect from 01.05.2016.

WP.20792/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Commutation of pension and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20793/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20794/16:

Directing the respondents to settle payment of Gratuity, Earned Leave Medical, Leave Commutation of pension, Provident Fund, Arrears of 8 months pension from June 2015 to Jan 2016 Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20753/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honble Court.

WP.20754/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honble Court.

WP.20755/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honble Court.

WP.20756/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honble Court.

WP.20757/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honble Court.

WP.20758/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honble Court.

WP.20759/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, College Fees, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honble Court.

WP.20760/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honble Court.

WP.20761/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20762/16:

Directing the respondents to settle payment of Gratuity, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20763/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20764/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20765/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20766/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20767/16:

Directing the respondents to settle payment of Gratuity amount payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20768/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

WP.20769/16:

Directing the respondents to settle payment of Gratuity, Earned Leave, Medical Leave, Commutation of Pension, Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable Court.

For Petitioners : Mr.J.Pradeep
in W.P. No. 20667 of 2016 and
Mr.N.Sudhagar Nagaraj for Petitioner in
WP.20792 to 20794/16 and WP.20753 to
20769/16.

For Respondents : Mr. P. Paramasivados
in WP No. 20667 of 2016 WP.20753 to
20769/16 and in WP.20792 to 20794/16

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 or three years ago, till date their terminal benefits have not been settled. In this regard, they have also submitted representation to the respective Transport Corporations. Since there was no response, they are before this Court by way of these writ petitions.

3. When the above writ petitions are taken up today for hearing, the learned counsel appearing for the respective 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-Transport Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. They would further submit that following the same, this Court has passed similar orders in several writ petitions. Accordingly, they would pray that a similar order may be passed in these writ petitions also.

4. Heard the learned counsel for the respective petitioners and the learned standing counsel for the respondent/transport corporation, who takes 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-Transport Corporation is directed to disburse the terminal benefits to each of the petitioners herein 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 01.09.2016.

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

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vazhuthareddy
Villupuram - 605 602.
2. The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vellore Region, Vellore
3. The Administrator
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Employees Post Retirement Welfare Fund Scheme
Thiruvallur House, Pallavan Salai
Chennai - 600 002.
4. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd Salem Division NO.12
Ramakrishna Road Post Box No.713
Salem-636 007
5. The General Manager
Tamil Nadu State Transport Corporaiton
(Salem) Ltd Salem Division NO.12
Ramakrishna Road Post Box No.713 Salem-
636 007.
6. The Administrator
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust Thiruvalluvar
House Pallavan Salai
Chennai-600002.

+20 cc's to Mr.N.Sudhagar Nagaraj, Advocate,SR.34002 to 24021

+3 cc's to Mr.P.Paramasivadoss, Advocate,SR.34173 to 34175

+1 cc to Mr.J.Pradeep, Advocate,sR.34323.