

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.07.2016

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THE HON'BLE MR.JUSTICE N.KIRUBAKARAN

W.P.Nos.23209 to 23215 and 23352 of 2016

W.P.No.23209 of 2016:

P.Archuthan

[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
(Salem) Limited No.12 Ramakrishnan Road
Salem 636 007
- 3 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited No.12 Ramakrishnan Road
Salem 636 007
- 4 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002.

[Respondents]

Prayer: Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the

For Respondents : Mr.A.Raja Perumal (R1)
Mr.R.K.Gandhi (R2-4) in
W.P.Nos.23209 to 23215/16

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 including Gratuity, Leave surrender, Labour Welfare Fund, settlement benefit, IRD Medical College Amount, commutation balance amount (Earned Leave & Medical Leave) and settlement arrears etc. 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. Heard the learned counsel for the respective petitioners and the learned counsel for the respective respondents.

4. In similar circumstances, a Division Bench of the Madurai Bench of this court in the common judgment dated 12.06.2015 in W.A.(MD) Nos.383 to 457 of 2015, the respondent–Transport Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. Based on the said Judgment, a learned Single Judge of this Court in W.P.Nos.20276 to 20279 of 2016 etc. batch of cases, granted similar relief by order dated 16.06.2016. The relevant portion of the said order of the learned Single Judge reads as follows:–

“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 10.08.2016”.

5. Since there is no dispute with regard to non payment of terminal benefits to the respective petitioners, the respective respondent-Transport Corporation is directed to disburse the terminal benefits to each of the petitioners herein in twelve equal monthly instalments, commencing from 01.08.2016.

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

06.07.2016

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**Note: Issue order copy on
14.07.2016**

N.KIRUBAKARAN,J

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W.P.Nos.23209 to 23215 and 23352 of 2016

06.07.2016