

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.23372 and 23373 of 2016

V.Paulraj	[Petitioner in W.P.No.23372/16]
V.Ganesan	[Petitioner in W.P.No.23373/16]

..VS...

- 1 The Principal Secretary to
Government Transport Department
Fort St. George Chennai-600009.
- 2 The Managing Director
Tamil Nadu State Transport Corporation (VPM)
Ltd 3/137 Salamedu Valuthareddy Post
Villupuram- 605 602.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600 002.

[Respondents in both WPs]

Prayer: Writ petition No.23372/16 filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to directing the 2nd & 3rd respondents to disburse the retirement benefits viz. Gratuity of Rs.10 00 000/- Leave on Private Affairs Rs.3 26 000/- the total comes to Rs.13 26 000/- (Rupees Thirteen Lakhs Twenty six thousand only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.03.2013 as Manager in the 2nd respondents office.

Writ petition No.23373/16 filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to directing the 2nd & 3rd respondents to disburse the retirement benefits viz. Gratuity of Rs.10 00 000/- Leave on Private Affairs Rs.3 26 000/- leave surrender salary Rs.8,98,000/- and pension commutation amount Rs.10,00,000/- the total comes to Rs.32,24,000/- (Rupees thirty two laksh twenty four thousand only) with 18% interest on delayed payment to the petitioner who is retired from service on 30.09.2014 as Manager in the 2nd respondents office.

For Petitioners Mr.D.Veerasekaran

For Respondents : Mr.P.Chinnadurai (R1)
 Mr.P.Kannankumar (R2&3)

COMMON ORDER

Inasmuch as the issue raised in both the 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 the 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 Transport Corporation. Since there was no response, they are before this Court by way of these writ petitions.

3. Heard the learned counsel for the petitioners and the learned counsel for the 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 petitioners, the respondent-Transport Corporation is directed to disburse the terminal benefits to both 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 14/7/2016

To

- 1 The Principal Secretary to
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N.KIRUBAKARAN,J

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