

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.23393 and 23394 of 2016

P.Nagaraj ... Petitioner in W.P.23393/2016

K.Balasubramanian ... Petitioner in W.P.23394/2016

Vs.

The Managing Director,
Tamilnadu State Transport Corporation
(Salem) Limited,
12, Ramakrishna Salai,
Salem-76.

... Respondent in both the
Writ Petitions

Writ Petition No.23393 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the respondent to pay the retirement benefits such as Gratuity, medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from 31.07.2012 the date of retirement for the delayed payment of retirement benefits.

Writ Petition No.23394 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus Directing the respondent to pay the retirement benefits such as Gratuity, the benefit of earned leave and unearned leave, medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from 30.06.2013 the date of retirement for the delayed payment of retirement benefits.

For Petitioner : Mr.A.Nagarathinam,
in both the Writ Petitions

For Respondents : Mr.P.Paramasivadosh,
in both the Writ Petitions

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners joined the services of the Transport Corporation and they retired from service long before. The grievance of the petitioners is that though they retired from service long before, till date, they were not paid with the retirement benefits. In this regard, the petitioners submitted representations before the respondent, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petitions have been filed.

3. I have heard the learned counsel appearing for the petitioners and the learned counsel, who has taken notice on behalf of the respondent.

4. The issue involved in the present writ petitions is squarely covered by the judgment of the Division Bench of the Madurai Bench, of this Court dated 12.6.2015 made 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).

5. Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefits to 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 (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 1.1.2017.

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

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

sbi

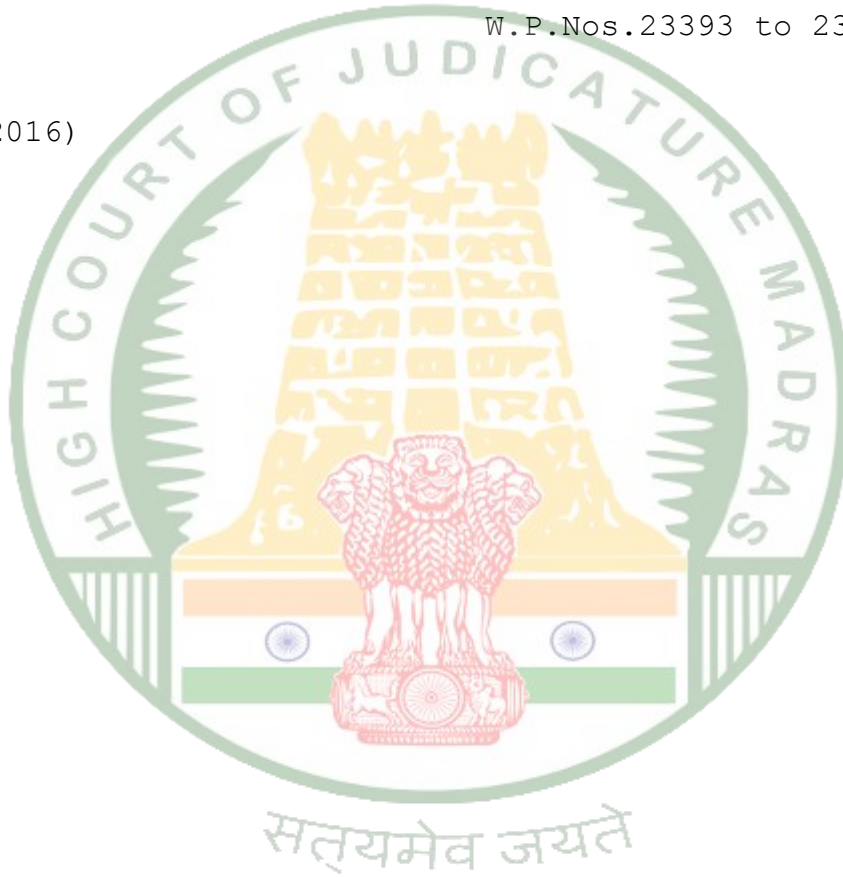
To

The Managing Director,
Tamilnadu State Transport Corporation
(Salem) Limited,
12, Ramakrishna Salai,
Salem-76.

+2cc's to Mr.A.Nagarathinam, Advocate, S.R.Nos.59834 & 59835

W.P.Nos.23393 to 23394 of 2016

RV(CO)
CA(18/11/2016)



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