

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 13.7.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.23871 to 23874 of 2016

W.P.No.23871 of 2016

M.Raghavan Staff No.DR1245

... petitioner

Vs

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram-
605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Cuddalore Region Cuddalore
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002. ... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to settle the petitioners retirement benefits including Gratuity Commutation EL surrender and settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 30.04.2016 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

W.P.No.23872 of 2016

K.Rajaji Staff No.DR0940

... petitioner

Vs

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram-
605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Cuddalore Region Cuddalore
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002. ... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to settle the petitioners retirement benefits including Gratuity Commutation EL surrender and settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.5.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

W.P.No.23873 of 2016

N.Thirunavukkarasu, Staff No.CR0994 petitioner

Vs

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram-
605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Cuddalore Region Cuddalore
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002. ... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to settle the petitioners retirement benefits including Gratuity Commutation EL surrender and settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of VRS retirement i.e. 19.08.2014 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

W.P.No.23874 of 2016

R.Jayakumar, Staff No.SR1098 ... petitioner

Vs

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Vazhuthareddy Villupuram-
605 602.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd Cuddalore Region Cuddalore
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002. ... respondents

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to settle the petitioners retirement benefits including Gratuity Commutation EL surrender and settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e. 31.3.2016 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

For petitioner ... Mr.T.Pappaiah Dharmarajan
For respondents ... Mr.R.K.Gandhi

COMMON ORDER

Heard Thiru.T.Pappaiah Dharmarajan, learned counsel for the petitioner and Thiru.R.K.Gandhi, learned counsel for the respondents.

2. With the consent of both the sides, the Writ Petitions are taken up for disposal.

3. The petitioners are employees of the respondent/Transport Corporation and have attained the age of superannuation and retired from service. However, their pensionary benefits has not been settled and therefore, the petitioners have approached this Court and filed the present Writ Petition to consider their representation for grant of pension.

4. It is brought to the notice of this Court by the learned counsel appearing on either side that this Court has considered a similar Writ Petition, and following the order passed by the Hon'ble Division Bench in the case of K.Rajendran and others vs. The Tamil Nadu State Transport Corporation (Madurai) Ltd. represented by its Managing Director, Madurai and others), dated 12.6.2015, issued directions to the respondent Corporation to settle the entire terminal benefits due and payable to the petitioner in twelve equal installments, carrying interest @ 6% p.a.

5. In the light of the said order, these Writ Petitions are disposed of with a direction to the respondent/Corporation to settle the entire terminal benefits due and payable to the petitioners in twelve equal installments, carrying interest @ 6% p.a. First of such installments shall commence from August 2016. All the payments shall be paid on 7th of each month. In the event of delay in payment of any one of the installments, the same shall be payable along with interest at 18% p.a., for the delayed payment, and leaving it open to the petitioners to invoke other remedies available to them in the event of such non payment of installments.

6 . The Writ Petitions stand disposed of as indicated above. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The Managing Director
Tamil Nadu State Transport corporation
(Vilupuram) Ltd, Vazhuthareddy
Villupuram-605 602

2.The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram)Ltd Cuddalore Region Cuddalore

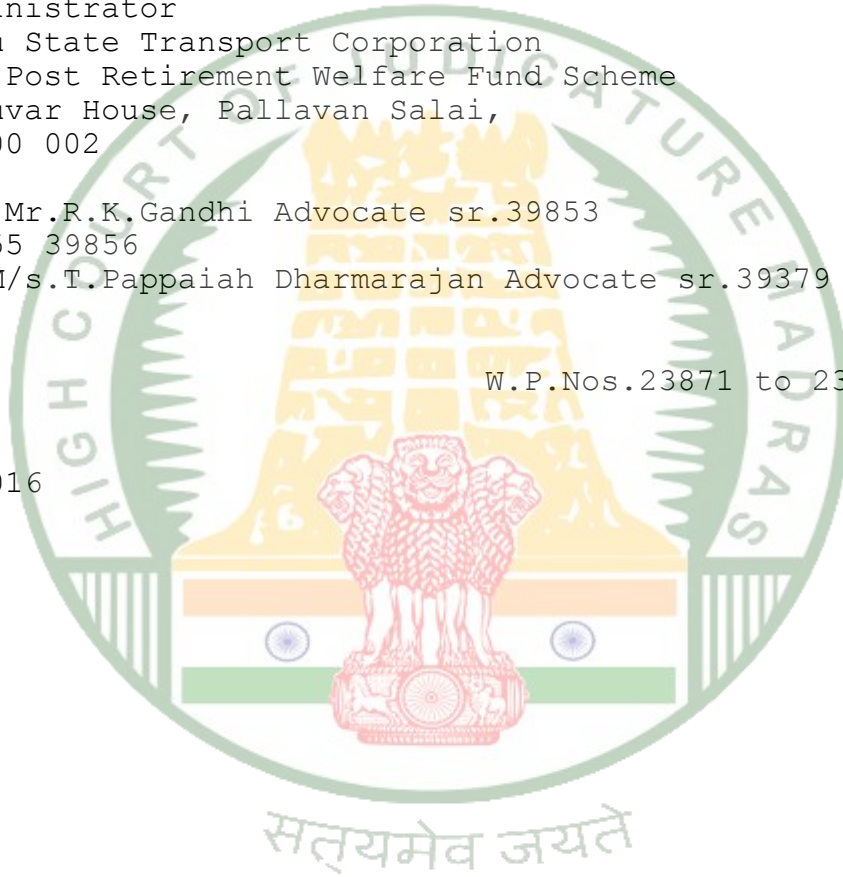
3.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002

+4 ccs to Mr.R.K.Gandhi Advocate sr.39853
39854 39855 39856

+1 cc to M/s.T.Pappaiah Dharmarajan Advocate sr.39379

W.P.Nos.23871 to 23874 of 2016

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