

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 13.7.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.23892 to 23896 of 2016

in

WP.NO.23892 of 2016

M.Paneerselvam ... petitioner in WP.23892/16
B.Arivazhagan ... Petitioner in WP.23893/16
D.Padmanabhan ... Petitioner in WP.23894/16
K.Soundararajan ... Petitioner in WP.23895/16
R.Subramanian ... Petitioner in WP.23896/16

versus

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai-600 009. ...RR1 & R2 in all WPs
- 2 The Managing Director
Metropolitan Transport Corporation Ltd
pallavan House Anna Salai
Chennai-600 002. ... respondents
3. The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai, Chennai-2 ...R3 in WP.23895/16

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the 2nd respondent to disburse the retirement benefits viz. Leave Surrender Salary of Rs.5,62,000/- Settlement leave benefit of Rs.1,00,000 and Leave on Private affairs Rs.1,50,000/- the total comes to Rs.8,12,000/- (Rupees Eight Lakhs Twelve thousand only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.10.2015 as Assistant Manager in the 2nd respondents office.

WP.No.23893/16:Directing the 2nd respondent to disburse the retirement benefits viz. Leave Surrender Salary of Rs.5 45 000/- and Settlement arrears of Rs.25 000 the total comes to Rs.5 70 000/- (Rupees Five Lakhs Seventy thousand only) with 18% interest on delayed payment to the petitioner who is retired from service on 30.09.2014 as Foreman in the 2nd respondents office.

WP.No.23894/2016:Directing the 2nd respondent to disburse the retirement benefits viz. Leave Surrender Salary of Rs.5 18 000/- Settlement leave benefit of Rs.1 00 000 and Leave on Private affairs Rs.1 50 000/- the total comes to Rs.7 68 000/- (Rupees Seven Lakhs Sixty eight thousand only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.05.2015 as Foreman in the 2nd respondents office.

WP.No.23895/2016:
Directing the 2nd and 3rd respondents to disburse the retirement benefits viz. Leave Surrender Salary of Rs.3 65 550/-Settlement arrears of Rs.10 000/- and pension commutation amount of Rs.3 35 250/- the total comes to Rs.7 10 800/- (Rupees Seven Lakhs ten thousand eight hundred only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.01.2016 as Traffic Inspector in the 2nd respondents office.

WP.No.23896/2016: Directing the 2nd respondents to disburse the retirement benefits viz. Leave Surrender Salary of Rs.5 00 800/- Settlement leave benefit of Rs.1 00 000 and Leave on Private affairs Rs.1 50 000/- the total comes to Rs.7 50 800/- (Rupees Seven Lakhs fifty thousand and eight hundred only) with 18% interest on delayed payment to the petitioner who is retired from service on 31.07.2014 as Assistant Manager in the 2nd respondents office.

For petitioner Mr.D.Veerasekaran
For respondents Mr.Digvijaya Pandian,
A.G.P., for R-1
Mr.R.K.Gandhi, for 2nd respondent

COMMON ORDER

Heard Thiru.D.Veerasekaran, learned counsel for the petitioner and Thiru.Digvijaya Pandian, learned counsel for the 1st respondent and Thiru.R.K.Gandhi, for 2nd respondent.

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

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To

- 1 The Principal Secretary to
Government Transport Department Fort St.
George Chennai-600 009.

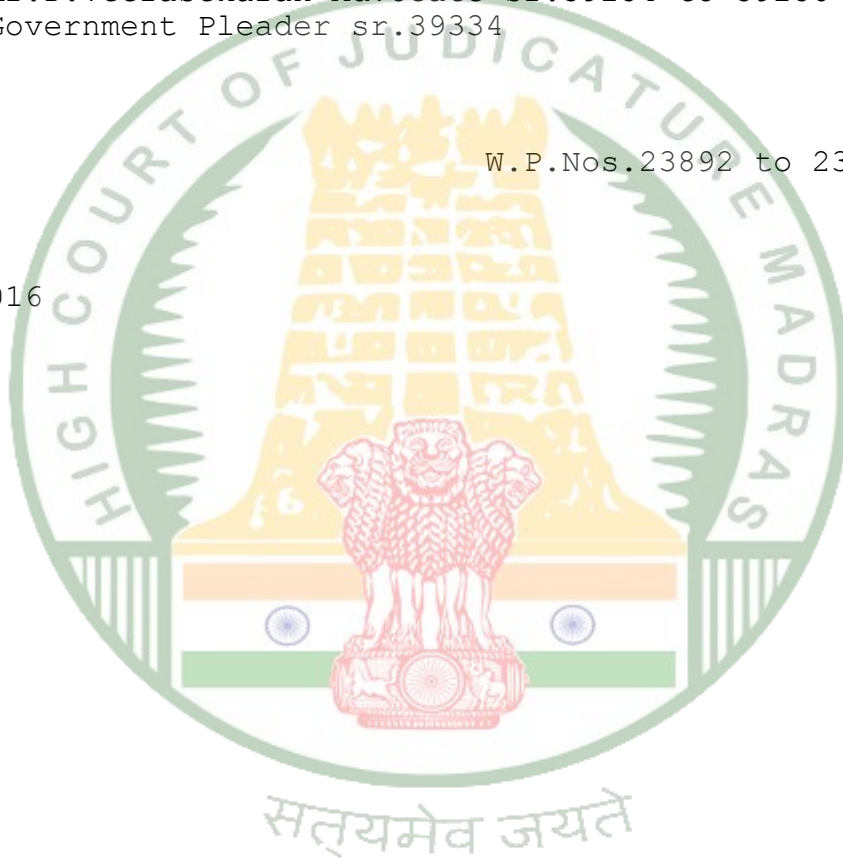
2 The Managing Director
Metropolitan Transport Corporation Ltd
pallavan House Anna Salai Chennai-600 002.

3. The Administrator
Tamil Nadu Transport Corporation
Pension Fund Trust
Thiruvalluvar House,
Pallavan Salai, Chennai-2

+5 cc to Mr.R.K.Gandhi Advocate sr.39857 to 39861
+5 cc to Mr.D.Veerasekaran Advocate sr.39254 to 39258
+1 cc to Government Pleader sr.39334

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