

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 13.7.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.23921, 23922 of 2016

R.Gunasekaran ... petitioner in W.P.No.23921/2016

M.Ramasamy ... petitioner in W.P.No.23922/2016

versus

- 1 The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited No.12 Ramakrishna Road
Salem-636 007.
- 2 The Administrator
Tamil Nadu State Transport Corporation
(Salem) Ltd. Employees Post Retirement
Welfare Fund Scheme Thiruvallur House
Pallavan Salai Chennai-2. respondents

W.P.No.No.23921 of 2016 filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent herein consider and to dispose of the petitioners representation dated 04.06.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e earn leave salary D.A. (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 30.04.2016 in accordance with law within a time frame that may be fixed by this Honourable Court.

W.P.No.No.2392 of 2016 filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent herein consider and to dispose of the petitioners representation dated 30.05.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely Gratuity Commutation ERBS (Employees Retirement Benefit Scheme) pension arrears surrender leave salary i.e earn leave salary D.A. (dearness allowance) arrears and pension DA (dearness allowance) arrears with interest at 18% per annum with effect from 31.07.2013 in accordance with law within a time frame that may be fixed by this Honourable Court.

O R D E R

Heard Thiru.J.Franklin, learned counsel for the petitioners 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 employee 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 Petitions 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, this 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 Managing Director
Tamil Nadu State Transport Corporation
(Salem) Limited No.12 Ramakrishna Road
Salem-636 007.

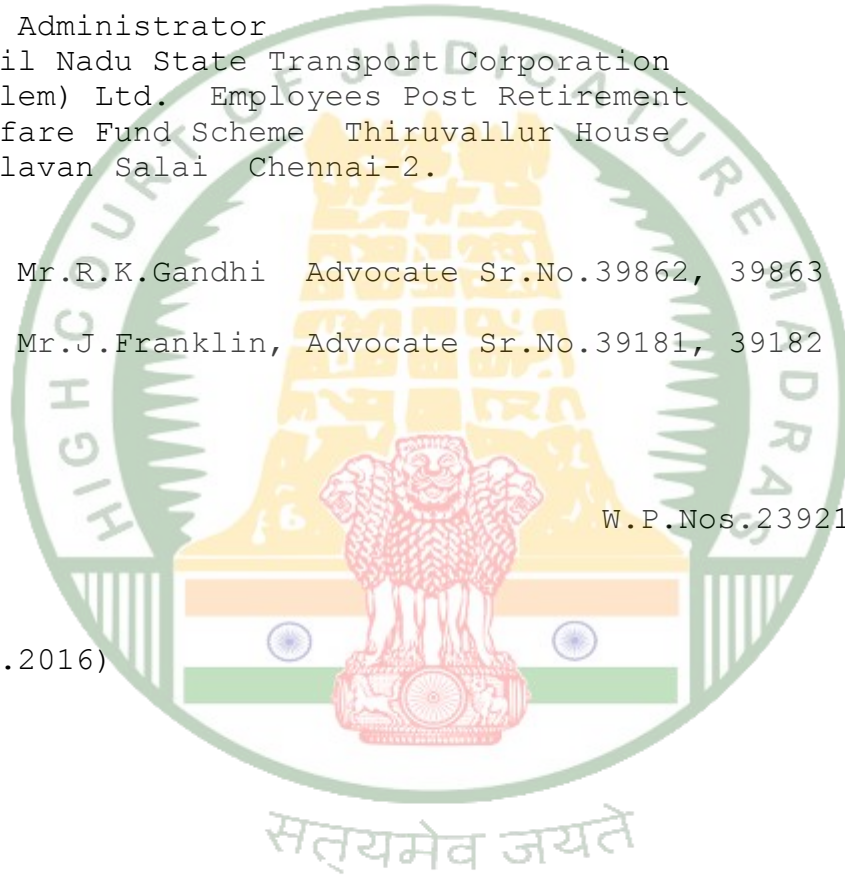
2 The Administrator
Tamil Nadu State Transport Corporation
(Salem) Ltd. Employees Post Retirement
Welfare Fund Scheme Thiruvallur House
Pallavan Salai Chennai-2.

+2 CC to Mr.R.K.Gandhi Advocate Sr.No.39862, 39863

+2 CC to Mr.J.Franklin, Advocate Sr.No.39181, 39182

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KJI (CO)
KP (29.07.2016)



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