

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :: 13.7.2016

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

W.P.Nos.24032 to 24039 of 2016

1. L.Ambaison ..Petitioner in WP.NO.24032/16
2. P.CHANADRASEKARAN ..Petitioner in WP.NO.24033/16
3. T.VENKATESHWARAN ..Petitioner in WP.NO.24034/16
4. K.SIVALINGAM ..Petitioner in WP.NO.24035/16
5. R.MUTHUSAMY ..Petitioner in WP.NO.24036/16
7. C.VENKATACHALAM ..Petitioner in WP.NO.24037/16
8. K.P.MATHIYALAGAN ..Petitioner in WP.NO.24038/16
9. R.ANGAPPAN ..Petitioner in WP.NO.24039/16

-versus-

- 1 Tamil Nadu State Transport Corporation Ltd 37 Mettupalayam Road Coimbatore-641 043 Rep by its Managing Director
- 2 The General Manager Tamil Nadu State Transport Corporation Ltd 37 Mettupalayam Road Coimbatore-641 043
- 3 The Administrator The Tamil Nadu State Transport Corporation Pension Fund Trust Thiruvalluvar House Pallavan Salai Chennai-600 002

...RESPONDENTS IN ALL WPS.

2. THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION LIMITED.,
40, CHENNIMALAI ROAD, ERODE 638 001.

..2ND RESPONDENT IN WP.NOS.24034 TO 24039/16

PRAYER IN WP.NO.24032/16:-

Writ Petition filed under Art.226 of the Constitution of India praying for a Writ of Mandamus directing the Respondents to pay the petitioner all his retirement benefits including Gratuity Leave Salary and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by

this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Honourable Court.

PRAYER IN WP.NO.24033/16:-

Directing the Respondents to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Honourable Court.

PRAYER IN WP.NO.24034/16:-

Directing the Respondents to pay the petitioner all his retirement benefits including Gratuity and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Honourable Court.

PRAYER IN WP.NO.24035/16:-

Directing the Respondents to pay the petitioner all his retirement benefits including Provident Fund Gratuity Commutation Leave Salary and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Honourable Court.

PRAYER IN WP.NO.24036/16:-

Directing the Respondents to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Honourable Court.

PRAYER IN WP.NO.24037/16:-

Directing the Respondents to pay the petitioner all his retirement benefits including Gratuity Leave Salary and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Honourable Court.

PRAYER IN WP.NO.24038/16:-

Directing the Respondents to pay the petitioner all his retirement benefits including Gratuity and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Honourable Court.

PRAYER IN WP.NO.24039/16:-

Directing the Respondents to pay the petitioner all his retirement benefits including Gratuity Leave Salary and other benefits with interest at the rate of 18% per annum within the time that may be stipulated by this Honourable Court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondents within the time frame that may be stipulated by this Honourable Court.

For Petitioner IN ALL WPS. ... Mr.A.Rajendiran
For Respondents IN ALL WPS. ... Mr.S.Sairaman

COMMON ORDER

Heard Thiru.A.Rajendiran, learned counsel for the petitioner and Thiru.S.Sairaman, 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.

<https://hcservices.ecourts.gov.in/hcservices/> 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.
tar

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

- 1 The Managing Director,
Tamil Nadu State Transport
Corporation Ltd 37 Mettupalayam Road
Coimbatore-641 043.
- 2 The General Manager
Tamil Nadu State Transport Corporation Ltd
37, Mettupalayam Road Coimbatore-641 043.
- 3 The Administrator
The Tamil Nadu State Transport Corporation
Pension Fund Trust Thiruvalluvar House
Pallavan Salai Chennai-600 002.
4. THE GENERAL MANAGER,
TAMIL NADU STATE TRANSPORT CORPORATION LIMITED.,
40, CHENNIMALAI ROAD, ERODE 638 001.

+ 1 CC TO MR.S.SAIRAMAN, ADVOCATE SR 39309

+ 8 CCS TO MR.A.RAJENDIRAN, ADVOCATE SR 39067

KB/1/8/16

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