

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.07.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos. 25274 of 2016,
25303 to 25309 of 2016, 25310 to 25327 of 2016,
25340 of 2016, 25345 and 25346 of 2016,
25352 of 2016, 25358 of 2016, 25359 of 2016
25365 of 2016, 25399 of 2016, 25413 of 2016
25423 of 2016 and 25443 of 2016

T.PARAMASIVAM	...PETITIONER in WP.25274 of 2016
D.DEVARAJ	...PETITIONER in WP.25303 of 2016
S.RAVINDRAN	...PETITIONER in WP.25304 of 2016
V.PARAMESH	...PETITIONER in WP.25305 of 2016
K.RANGARAJU	...PETITIONER in WP.25306 of 2016
A.JEEVARAJ	...PETITIONER in WP.25307 of 2016
M.SURENDRAN	...PETITIONER in WP.25308 of 2016
A.SRINIVASAN	...PETITIONER in WP.25309 of 2016
S.BALAKANGEYAN	...PETITIONER in WP.25310 of 2016
P.PANNEERSELVAM	...PETITIONER in WP.25311 of 2016
S.VENKATESAN	...PETITIONER in WP.25312 of 2016
V.MURUGAVEL	...PETITIONER in WP.25313 of 2016
R.SELVAKUMAR	...PETITIONER in WP.25314 of 2016
P.PADMANABAN	...PETITIONER in WP.25315 of 2016
T.GUNASEKARAN	...PETITIONER in WP.25316 of 2016
V.K.SHANMUGAM	...PETITIONER in WP.25317 of 2016
P.K.PALANIAPPAN STAFF NO.CR 1225	...PETITIONER in WP.25318 of 2016

M.PALANI STAFF NO.CR5033	...PETITIONER in WP.25319 of 2016
S.ASHOKKUMAR STAFF NO.TM0107	...PETITIONER in WP.25320 of 2016
K.THIRUNAVUKKARASU	...PETITIONER in WP.25321 of 2016
K.KRISHNAMOORTHY	...PETITIONER in WP.25322 of 2016
K.SATHIYANARAYANAN STAFF NO.CR.1302	...PETITIONER in WP.25323 of 2016
R.KUPPUSAMY	...PETITIONER in WP.25324 of 2016
A.MANIVANNAN STAFF NO.DR.2801	...PETITIONER in WP.25325 of 2016
G.MARGABANDU S/O.GOVINDAMANTHERI	...PETITIONER in WP.25326 of 2016
C.RAJENDRAN STAFF NO.S.T.M. TR0901	...PETITIONER in WP.25327 of 2016
A.CHANDRASEKARAN STAFF NO.1853	...PETITIONER in WP.25340 of 2016
C.SUBRAMANIAN STAFF NO.1029	...PETITIONER in WP.25345 of 2016
S.PARTHASRATHY STAFF NO.CR1384	...PETITIONER in WP.25346 of 2016
P.BALASUBRAMANIAN STAFF NO.CR1974	...PETITIONER in WP.25352 of 2016
R.DEVARAJAN	...PETITIONER in WP.25358 of 2016
R.KRISHNAMURTHY STAFF NO.DR1136	...PETITIONER in WP.25359 of 2016
B.MURUGESAN STAFF NO.CR1378	...PETITIONER in WP.25365 of 2016
P.RAMAR	...PETITIONER in WP.25399 of 2016
M.SEKAR A05538	...PETITIONER in WP.25413 of 2016

B.GANGADARAN

...PETITIONER in WP.25423 of 2016

A.RAMANATHAN

...PETITIONER in WP.25443 of 2016

SR.ASSISTANT AR0159 (RTD.)

Vs.

THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD
12 RAMAKRISHNA SALAI
SALEM-636 007.

...RESPONDENT in WP.25274 of 2016

1. THE GOVERNMENT OF TAMIL NADU
REP BY ITS PRINCIPAL SECRETARY
TRANSPORT DEPARTMENT SECRETARIAT
FORT ST. GEORGE CHENNAI-600 009

2. THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(CBE) LTD HEAD OFFICE
NO.37 METTUPALAYAM ROAD
COIMBATORE-641 043

... RESPONDENTS in WPs.25303, 25305, 25306,
25308 & 25309 of 2016

1. THE GOVERNMENT OF TAMIL NADU
REP BY ITS PRINCIPAL SECRETARY
TRANSPORT DEPARTMENT SECRETARIAT
FORT ST. GEORGE CHENNAI-600 009

2. THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(CBE) LTD HEAD OFFICE
NO.37 METTUPALAYAM ROAD
COIMBATORE-641 043

3. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST THIRUVALLUVAR HOUSE
PALLAVAN SALAI CHENNAI-600 002

... RESPONDENTS in WPs.25304 & 25307
of 2016

1. THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
VAZHUTHAREDDY VILLUPURAM - 605 602.

2. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVANSALAI CHENNAI-600002

... RESPONDENTS in WPs.25310, 25314,
25316, 25320 & 25323 of 2016

1. THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
VAZHUTHAREDDY VILLUPURAM - 605 602.

2. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
VELLORE REGION VELLORE

3. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVANSALAI CHENNAI-600002

... RESPONDENTS in WPs.25311 &
25324 of 2016

1. THE MANAGING DIRECTOR
TAMILNADU 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
PALLAVANSALAI CHENNAI-600002

... RESPONDENTS in WPs.25312 & 25313
of 2016

1. THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD VAZHUTHAREDDY
VILLUPURAM - 605 602.

2. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
VELLORE REGION VELLORE

3. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVANSALAI CHENNAI-600002

... RESPONDENTS in WPs.25315, 25317
& 25326 of 2016

1. THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(SALEM) LTD
NO.12 RAMAKRISHNA ROAD SALEM - 636 007

2. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD DHARMAPURI REGION
SALEM MAIN ROAD BHARATHIPURAM
DHARMAPURI- 636 705

... RESPONDENTS in WPs.25318
& 25319 of 2016

1. THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD VAZHUTHAREDDY
VILLUPURAM - 605 602.

2. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
VELLORE REGION VELLORE

... RESPONDENTS in WPs.25321
& 25322 of 2016

THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
VAZHUTHAREDDY VILLUPURAM - 605 602.

... RESPONDENT in WP.25325 of 2016

1. THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD VAZHUTHAREDDY
VILLUPURAM - 605 602.

2. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD VAZHUTHAREDDY
VILLUPURAM - 605 602.

3. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVANSALAI CHENNAI-600 002.

... RESPONDENTS in WPs.25327 of 2016

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 KANCHEEPURAM REGION
KANCHEEPURAM

3. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI CHENNAI-600 002.

... RESPONDENTS in WP.25340 of 2016

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- 607 001.

3. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI CHENNAI-600 002

... RESPONDENTS in WPs.25345
& 25346 of 2016

1. THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED VAZHUTHAREDDY
VILLUPURAM - 605 602

2. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED CUDDALORE REGION
CUDDALORE

... RESPONDENTS in WPs.25352, 25359
& 25365 of 2016

1. THE SECRETARY TO GOVERNMENT
TRANSPORT DEPARTMENT
SECRETARIAT CHENNAI-9

2. THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LIMITED NO.12 RAMAKRISHNAN ROAD
SALEM-636 007

3. THE GENERAL MANAGER
SALEM REGION TAMILNADU STATE TRANSPORT
CORPORATION (SALEM) LTD
NO.12 RAMAKRISHNAN ROAD SALEM-636 007

4. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI CHENNAI-600 002

... RESPONDENTS in WP.25358 of 2016

THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(SALME) LIMITED 12 RAMAKRISHNA SALAI
SALEM-636 007.

... RESPONDENT in WP.25399 of 2016

1. THE PRINCIPAL SECRETARY TO GOVERNMENT
TRANSPORT DEPARTMENT
FORT ST. GEORGE CHENNAI-9

2. THE MANAGING DIRECTOR
METROPOLITAN TRANSPORT CORPORATION
(CHENNAI) LTD.
PALLAVAN SALAI CHENNAI-2

... RESPONDENTS in WPs.25413
& 25423 of 2016

1. THE SECRETARY TO GOVT. OF TAMILNADU
TRANSPORT DEPARTMENT
THE SECRETARIAT FORT ST. GEORGE
CHENNAI-600 009.
2. THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD. NO.12 RAMAKRISHNA ROAD
SALEM - 636 007.
3. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD. DHARMAPURI REGION
DHARMAPURI - 636 705.
4. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME TIRUVALLUVAR HOUSE
PALLAVAN SALAI CHENNAI-600 002.

... RESPONDENTS in WPs.25443 of 2016

These Writ Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus,

W.P No.25274 of 2016 : Directing the respondent to pay the Retirement benefits such as Provident Fund, Commutation, Gratuity, Labour Welfare Fund, IRT Share, the benefits of Earned and Unearned Leave and other Retirement benefits payable to the petitioner with interest at the rate of 12% from 30.4.2016, the date of retirement.

W.P No.25303 of 2016 : Directing the respondents to settle the petitioner's retirement benefits such as Gratuity, Encashment of Leave Salary (EL), EL Surrender for 45 days, Settlement benefits, Pension Arrears, PF DA arrears and other eligible terminal benefits after duly taking into account the enhanced dearness allowance with interest at 18% on delayed payment to the petitioner from 31.05.2014 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015.

W.P No.25304 of 2016 : Directing the respondents to settle the petitioner's retirement benefits such as Gratuity, Provident Fund, Social Security Scheme, Settlement benefits, Pension arrears and other eligible terminal benefits after duly taking into account the enhanced dearness allowance with interest at

18% on delayed payment to the petitioner from 31.12.2015 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A.(MD).Nos. 383 to 457 of 2015 dated 12.06.2015.

W.P No.25305 of 2016 : Directing the respondents to settle the petitioner's retirement benefits such as Gratuity, Encashment of leave Salary (EL)-173 days, Encashment of Leave Salary (ML-98), EL Surrender for 3 years (45 days) and other eligible terminal benefits after duly taking into account the enhanced dearness allowance with interest at 18% on delayed payment to the petitioner from 31.10.2012 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015.

W.P No.25306 of 2016 : Directing the respondents to settle the petitioner's retirement benefits such as Difference in Gratuity, Encashment of unearned leave on private affairs, Encashment of Leave salary (EL), Encashment of Leave Salary (ML-98), EL Surrender for 30 days and other eligible terminal benefits after duly taking into account the enhanced dearness allowance with interest at 18% on delayed payment to the petitioner from 31.08.2011 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A.(MD).Nos. 383 to 457 of 2015 dated 12.06.2015.

W.P No.25307 of 2016 : Directing the respondents to settle the petitioner's retirement benefits such as Gratuity, Encashment of Leave salary (EL), Encashment of Leave Salary (ML-98), Leave Surrender, Settlement benefits-2013, Pension arrears, PF Arrears and other eligible terminal benefits after duly taking into account the enhanced dearness allowance with interest at 18% on delayed payment to the petitioner from 31.10.2013 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A.(MD).Nos. 383 to 457 of 2015 dated 12.06.2015.

W.P No.25308 of 2016 : Directing the respondents to settle the petitioner's retirement benefits such as Gratuity, Social Security Scheme, Settlement benefits, Pension arrears and other eligible terminal benefits after duly taking into account the enhanced dearness allowance with interest at 18% on delayed payment to the petitioner from 31.01.2015 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A.(MD).Nos.383 to 457 of 2015 dated 12.06.2015.

W.P No.25309 of 2016 : Directing the respondents to settle the petitioner's retirement benefits such as Gratuity, Commutation of Pension, Encashment of Leave Salary (EL) 72 days, Encashment of Leave Salary (ML-98), EL Surrender - 30 days, Settlement arrears, Pension arrears, PF Arrears and other eligible terminal benefits after duly taking into account the enhanced dearness allowance with interest at 18% on delayed payment to the petitioner from 31.01.2014 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A.(MD).Nos. 383 to 457 of 2015 dated 12.06.2015.

W.P No.25310 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave encashment amount, pension arrears and D.A. arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2015 within stipulated time as may be fixed by this Honourable Court.

W.P No.25311 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.01.2013 within stipulated time as may be fixed by this Honourable Court.

W.P No.25312 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave encashment amount, pension arrears and D.A. arrears and settlement arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.11.2014 within stipulated time as may be fixed by this Honourable Court.

W.P No.25313 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave encashment amount, pension arrears and D.A. arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.08.2015 within stipulated time as may be fixed by this Honourable Court.

W.P No.25314 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave encashment amount, pension arrears and D.A. arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.08.2015 within stipulated time as may be fixed by this Honourable Court.

W.P No.25315 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave

encashment (Earned Leave), Welfare fund, IRT amount, PRBF amount and D.A. arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2016 within stipulated time as may be fixed by this Honourable Court.

W.P No.25316 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave encashment amount, pension arrears and D.A. arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2014 within stipulated time as may be fixed by this Honourable Court.

W.P No.25317 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave encashment (Earned & Medical Leave) Welfare fund, IRT amount, PRBS amount, settlement arrears and D.A. arrears and Bonus amount by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.05.2016 within stipulated time as may be fixed by this Honourable Court.

W.P No.25318 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave), Leave Surrender for the year 2009 and 2010, ERBS arrear and D.A. arrear amount by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu Periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.05.2013 within the stipulated time as may be fixed by this Honourable Court.

W.P No.25319 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned & Medical Leave), 15 days Leave Surrender for the year 2009, 2010, 2011 ERBS amount and D.A. arrear amount by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu Periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.07.2012 within the stipulated time as may be fixed by this Honourable Court.

W.P No.25320 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment, Dearness allowance arrears, 12(3) Settlement arrear amount by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.02.2016 within stipulated time as may be fixed by this Honourable Court.

W.P No.25321 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.05.2013 within the stipulated time as may be fixed by this Honourable Court.

W.P No.25322 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.02.2013 within stipulated time as may be fixed by this Honourable Court.

W.P No.25323 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, pension Commutation, Leave encashment, Dearness allowance arrears and 12(3) settlement arrear amount by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 18.03.2014 within the stipulated time as may be fixed by this Honourable Court.

W.P No.25324 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, pension Commutation, Leave encashment, (Earned & Medical Leave), Welfare fund, IRT amount, PRBS amount, Settlement arrears and D.A. arrears and Bonus amount by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within the stipulated time as may be fixed by this Honourable Court.

W.P No.25325 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Leave encashment, Dearness allowance arrears, 12(3) settlement arrear amount by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2016 within stipulated time as may be fixed by this Honourable Court.

W.P No.25326 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, pension commutation, Leave encashment, (Earned & Medical Leave) Welfare fund, IRT amount, PRBS amount, Settlement arrears and D.A. arrears and Bonus amount by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.04.2016 within stipulated time as may be fixed by this Honourable Court.

W.P No.25327 of 2016 : Directing the Respondents to disburse the payments relating to Gratuity, Leave encashment, amount pension arrears and D.A. arrears by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with

effect from 01.07.2015 within stipulated time as may be fixed by this Honourable Court.

W.P No.25340 of 2016 : Directing the respondents to settle the petitioner's retirement benefits including Leave Salary, Gratuity, commutation 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., 31.07.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

W.P No.25345 of 2016 : Directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, EL Surrender Settlement arrears and pension 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., 30.6.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable court.

W.P No.25346 of 2016 : Directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, 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., 30.6.2014 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable court.

W.P No.25352 of 2016 : Directing the respondents to settle the petitioner's retirement benefits including Gratuity and leave surrender 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., 30.06.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

W.P No.25358 of 2016 : Directing the respondents to settle the petitioner's retirement benefits including EL Surrender ERBS Pension arrears M.L, Pension DA 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 or retirement benefits to the petitioner payable from the date of retirement i.e., 31.05.2012 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable court.

W.P No.25359 of 2016 : Directing the respondents to settle the petitioner's retirement benefits including Gratuity and leave surrender 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., 30.04.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

W.P No.25365 of 2016 : Directing the respondents to settle the petitioner's retirement benefits including Gratuity and leave surrender 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., 30.6.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

W.P No.25399 of 2016 : Directing the respondent to pay the retirement benefits such as Provident Fund, Commutation, Gratuity, Labour Welfare Fund, IRT share, the benefits of Earned and Unearned Leave, Medical Leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from 31.03.2016, the date of retirement.

W.P No.25413 of 2016 : Directing the 2nd respondent to disburse the retirement benefits, viz., Earned Leave Surrender Salary amount of Rs.3,45,056/-, settlement leave benefit amount of Rs.1,43,773/- and settlement arrears of Rs.38,000/- which total comes to Rs.5,26,829/- (Rupees Five Lakhs Twenty six thousand eight hundred and twenty nine only) with 18% interest on delayed payment to the petitioner who had voluntarily retired from service on 31.3.2015 as Foreman in the 2nd respondents office.

W.P No.25423 of 2016 : Directing the 2nd respondent to disburse the retirement benefits, viz., Earned Leave Surrender Salary amount of Rs.3,12,048/-, settlement leave benefit amount of Rs.1,34,748/- and Dearness allowance arrears of Rs.8,000/- which total comes to Rs.4,54,796/- (Rupees four lakhs fifty four

thousand seven hundred and ninety six only) with 18% interest on delayed payment to the petitioner who had voluntarily retired from service on 30.04.2013 as Senior Assistant Engineer in the 2nd respondents office.

W.P No.25443 of 2016 : Directing the 2nd and 3rd respondents to settle the petitioners retirement / terminal benefits namely, surrender leave salary, fifteen days leave surrender amount to be paid for the month of September, 2009 and dearness allowance at 51% of pay and grade pay w.e.f. 01.01.2011 as per G.O.Ms.98, dated 28.03.2011 with all other attendant benefits if any with 12% interest per annum from the date all other retirement and consequently directing the 2nd and 3rd respondents to pay 18% interest per annum for the belated settlement of above benefits to the petitioner i.e. from 30.04.2011 to till date of actual payment, with breakup figure statement for arriving above retirement benefit under each heading within the time that may be stipulated by this Court.

For Petitioners : M/s.A.Nagarathinam in W.Ps.25274 & 25399 of 2016
: Mr.V.S.Jagadeesan in W.Ps.25303 to 25309 of 2016
: Mr.J.Pradeep in W.Ps.25310 to 25327 of 2016
: Mr.M.Selvam in W.Ps.25340, 25354, 25359 & 25365 of 2016
: Mr.T.Pappaiah Dharmarajan in W.Ps.25345, 25346 & 25358 of 2016
: Mr.D.Veerasekaran in W.Ps.25413 & 25423 of 2016
: Mr.S.Sathiaseelan in W.P.25443 of 2016
: Mr.A.Nagarathinam in W.P.25399 of 2016

For Respondents : M/s.P.Kannan Kumar in W.Ps.25274, 25352, 25359 & 25365 of 2016
: Mr.P.Chinnadurai, Government Advocate for R1 in W.Ps.25303 to 25309 of 2016
Mr.B.Sairaman for R2
: Mr.R.K.Gandhi in W.Ps.25310 to 25327 of 2016

: Mr.S.Sairaman in W.Ps.25340, 25345 & 25346
of 2016

: Mr.R.K.Gandhi for R2 to 4
in W.P.25358 of 2016
Mr.M.E.Raniselvam,
Additional Government Pleader for R1

: Mr.R.K.Gandhi in W.Ps.25399 & 25443 of 2016

: Mr.M.Digvijayapandian,
Additional Government Pleader for R1
Mr.S.Sairaman for R2
in W.Ps.25413 & 25423 of 2016

COMMON ORDER

By consent, these Writ Petitions are taken up together and disposed of at the stage of admission itself.

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 respondents, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petitions were filed.

3. The learned counsel appearing for the petitioners, brought to the notice of this Court the common judgment, dated 12.06.2015, passed by the Madurai Bench of this Court in W.A. (MD) Nos.383 to 457 of 2015, wherein under similar circumstances, the Transport Corporation undertook to pay the amount due and payable to the petitioners therein in twelve equal monthly instalments. He would further submit that following the same, this Court has passed similar orders in several Writ Petitions. Accordingly, he would pray that a similar order may be passed in these Writ Petitions also.

4. The learned Standing Counsel, who took notice on behalf of the respondents, would affirm that the issue involved in these Writ Petitions is squarely covered by the judgment passed by the Madurai Bench of this Court in W.A. (MD) Nos.383 to 457 of 2015, dated 12.06.2015 and the relevant portion of the said judgment reads as follows:-

"2. The said statement is thus taken on records and the respondents will be bound by the same. We have to keep in mind the judicial pronouncement of the Hon'ble Supreme Court in D.D.Tewari (D)through LRS. Vs. Uttar Haryana Bijli Vitran Nigam Ltd and Others (2014 (9) SCALE -78), wherein it is held that in case of any delay in making the payment of the instalments, the interest payable would become 18% p.a., for the delayed period apart from any other remedy which may be available to the appellants for non-compliance of undertaking given to this Court.

3. The instalments to be paid from July 2015 and each instalments should be paid on or before 7th of each month."

5. Considering the fact that the issue involved in these Writ Petitions is squarely covered by the orders passed by this Court in similar circumstances, without going into the merits of the matter, the Managing Director and General Manager of the respective Transport Corporation are 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 01.11.2016.

6. With the above direction, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

paa

To

1. THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD
12 RAMAKRISHNA SALAI
SALEM-636 007.

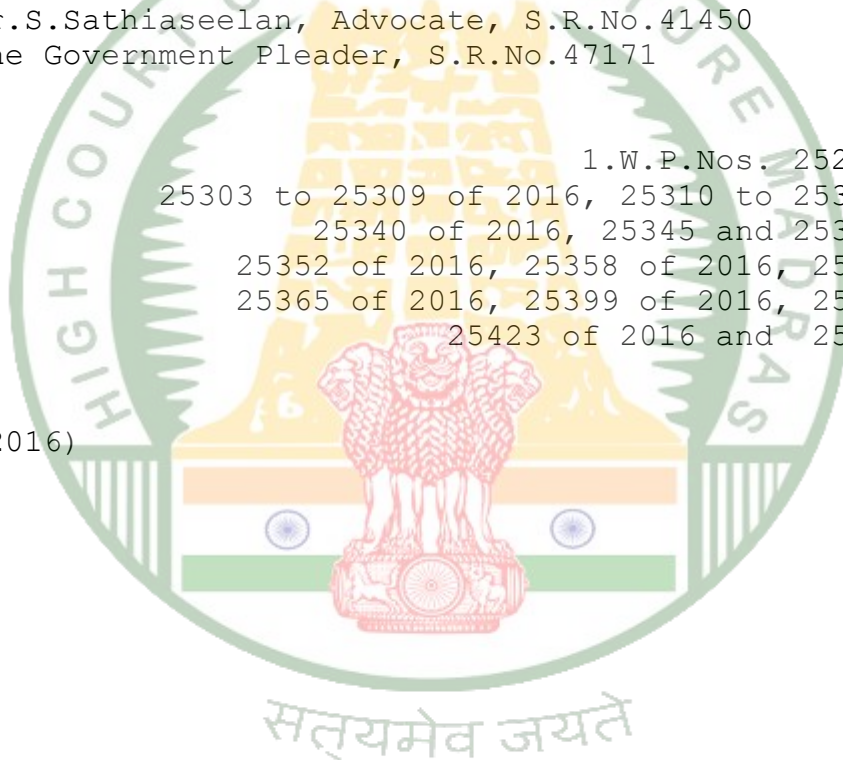
2. THE PRINCIPAL SECRETARY
GOVERNMENT OF TAMIL NADU
TRANSPORT DEPARTMENT SECRETARIAT
FORT ST. GEORGE CHENNAI-600 009
3. THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(CBE) LTD HEAD OFFICE
NO.37 METTUPALAYAM ROAD
COIMBATORE-641 043
4. THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST THIRUVALLUVAR HOUSE
PALLAVAN SALAI CHENNAI-600 002
5. THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
VAZHUTHAREDDY VILLUPURAM - 605 602.
6. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
VELLORE REGION VELLORE
7. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
KANCHEEPURAM REGION KANCHEEPURAM
8. THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD
CUDDALORE REGION CUDDALORE
9. THE SECRETARY TO GOVERNMENT
TRANSPORT DEPARTMENT
SECRETARIAT CHENNAI-9
10. THE GENERAL MANAGER
SALEM REGION TAMILNADU STATE TRANSPORT
CORPORATION (SALEM) LTD
NO.12 RAMAKRISHNAN ROAD SALEM-636 007
11. THE MANAGING DIRECTOR
METROPOLITAN TRANSPORT CORPORATION
(CHENNAI) LTD.
PALLAVAN SALAI CHENNAI-2

12.THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD. DHARMAPURI REGION
DHARMAPURI - 636 705.

+2cc's to Mr.A.Nagarathinam, Advocate, S.R.Nos.41258 & 41259
+7cc's to Mr.V.S.Jagadeesan, Advocate, S.R.No.41252
+18cc's to Mr.J.Pradeep, Advocate, S.R.No.41607
+2cc's to Mr.T.Pappaiah Dharmarajan, Advocate,
S.R.Nos.41482 & 41480
+5cc's to Mr.M.Selvam, Advocate, S.R.Nos.41481 to 41485
+4cc's to Mr.R.K.Gandhi, Advocate, S.R.Nos.41493 to 41496
+2cc's to Mr.D.Veerasekaran, Advocate, S.R.Nos.41264 & 41265
+1cc to Mr.S.Sathiaseelan, Advocate, S.R.No.41450
+1cc to the Government Pleader, S.R.No.47171

1.W.P.Nos. 25274 of 2016,
25303 to 25309 of 2016, 25310 to 25327 of 2016,
25340 of 2016, 25345 and 25346 of 2016,
25352 of 2016, 25358 of 2016, 25359 of 2016
25365 of 2016, 25399 of 2016, 25413 of 2016
25423 of 2016 and 25443 of 2016

SK(CO)
CA(31/08/2016)



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