

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.07.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos. 25544 of 2016,
25577 of 2016, 25580 and 25581 of 2016,
25605 to 25613 of 2016,
25614 to 25620 of 2016, 25639 of 2016,
25640 of 2016,
25646 to 25649 of 2016
25678 and 25679 of 2016
and
25682 of 2016

1 K.BALASUBRAMANIAN ..PETITIONER in WP No.25544/16
1 R.RAJENDRAN (58) YEARS .. PETITIONER in WP No.25577/16
1 N.PARVATHAVARTHINI F/63 YRS .. PETITIONER in WP No.25580/16
1 V.VANAJA PARVATHY F/60 YRS ..PETITIONER in WP No.25581/16
1 S.SUSAI RAJ (STAFF NO.AR0611) ..PETITIONER in WP.No.25605/16
1 R.NANDAGOPAL (MBR.033) ..PETITIONER in WP No.25606/16
1 A.SANKARAN (STAFF NO.AA0106) ..PETITIONER in WP No.25607/16
1 K.BABU (STAFF NO.C70459) ..PETITIONER in WP No.25608/16
1 T.C.SELVARAJ ..PETITIONER in WP No.25609/2016
1 C.MADHESWARI ..PETITIONER in WP No.25610/16
1 V.RANGASAMY (DR 2287) ..PETITIONER in WP No.25611/16
1 A.MARIMUTHU (TR.0921) ..PETITIONER in WP No.25612/16
1 M.MUTHAYAMMAL (MCR 098) ..PETITIONER in WP No.25613/16
1 MR.K.VENKATACHALAM ..PETITIONER in WP No.25614/16
1 MR.P.DHARMARAJ ..PETITIONER in WP No.25615/16
1 MR.P.NATARAJAN ..PETITIONER in WP No.25616 of 2016
1 MR.G.BALASUBRAMANIAM ..PETITIONER in WP No.25617 of 2016

1 MR.R.SATHIASEELAN ... PETITIONER in WP No.25618 of 2016

1 MR.S.BALAKRISHNAN ... PETITIONER in WP No.25619 of 2016

1 MR.V.MARIAPPAN ... PETITIONER in WP No.25620 of 2016

1 G.MOHAN STAFF NO.AA0077 ... PETITIONER in WP No.25639 of 2016

1 K.MUTHUKUMARASAMY ... PETITIONER in WP No.25640 of 2016

1 P.RAMASAMY ... PETITIONER in WP No.25646 of 2016

1 A.LOGANATHAN ... PETITIONER in WP No.25647 of 2016

1 M.KRISHNAN ... PETITIONER in WP No.25648 of 2016

1 K.GUNASEKARAN ... PETITIONER in WP No.25649 of 2016

1 M.SELVARAJ ... PETITIONER in WP No.25678 of 2016

1 G.ANANDAN ... PETITIONER in WP No.25679 of 2016

1 A.DHANALAKSHMI ... PETITIONER in WP No.25682 of 2016

1 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD 3/137 SALAMEDY VELUDHA
REDDY POST VILLUPURAM- 605 602
... RESPONDENT NO.1 in WP No.25544/16,25607/16

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD KANCHEEPURAM REGION
KANCHEEPURAM
..R2 IN WP.25544/16

1 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LIMITED NO.12 RAMAKRISHNA ROAD
SALEM-636 007
..R1 IN WPS.25577, 25605, 25606, 25610 & 25613/16

2 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LIMITED EMPLOYEES POST RETIREMENT
WELFARE FUND SCHEME THIRUVALLUR HOUSE
PALLAVAN SALAI CHENNAI-2
... RESPONDENT NO.2 in WPS. No.25577,25605,
25606,25607,25610,25613 of 2016

1 THE PRINCIPAL SECRETARY TO
GOVERNMENT TRANSPORT DEPARTMENT FORT ST.
GEORGE CHENNAI-600 009

2 THE MANAGING DIRECTOR
STATE EXPRESS TRANSPORT CORPORATION LTD
PALLAVAN SALAI CHENNAI-600 002

... RESPONDENT in WPS.No.25580,25581 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) LIMITED THIRUVANNAMALAI REGION
THIRUVANNAMALAI

... RESPONDENTS 1 & 2 in WP No.25608 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) LIMITED RANGAPURAM VELLORE
REGION VELLORE

... RESPONDENTS 1 & 2 in WP No.25609 of 2016

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

... RESPONDENT in WP Nos.25611,25612 of 2016

1 THE GOVERNMENT OF TAMILNADU
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 1 & 2 in WP Nos.25614,25615 of 2016

- 1 THE GOVERNMENT OF TAMILNADU
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 WP Nos.25616,25617,25618, 25619,25620 of 2016

- 1 THE SECRETARY TO GOVERNMENT
TRANSPORT DEPARTMENT FORT ST. GEORGE
SECRETARIAT CHENNAI-600 009.
- 2 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LTD VAZHUTHAREDDY VILLUPURAM-
605 602.

... RESPONDENTS in WP No.25639 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.

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

... RESPONDENTS in WP No.25640 of 2016

- 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) LIMITED EMPLOYEES POST RETIREMENT
WELFARE FUND SCHEME THIRUVALLUR HOUSE
PALLAVAN SALAI CHENNAI 2

... RESPONDENTS in WP Nos.25646,25647,25648,25649 of 2016

1 THE MANAGING DIRECTOR
TAMILNADU STATE TRANSPORT CORPORATION (VPM)
LD 3/137 SALAMEDU VAZHUTHAREDDY P.O.
VILLUPURAM-605 602

2 THE GENERAL MANAGER
TAMILNADU STATE TRANSPORT CORPORATION (VPM)
LTD KARAPETTAI KANCHEEPURAM-631 501

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

... RESPONDENTS in WP Nos.25678,25679 of 2016

1 THE SECRETARY TO GOVERNMENT
TRANSPORT DEPARTMENT FORT ST. GEORGE
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
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LIMITED 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 2

... RESPONDENTS in WP No.25682 of 2016

WP No.25544 of 2016

Writ Petitions filed under Article 226 of the Constitution of
India, praying for the issuance of Writs of Mandamus to

Directing the Respondents to settle the retirement benefits namely service gratuity benefits, Commutation amount, 52 days earned leave and pay Commission Settlement arrears payable to the Petitioner with interest at the rate of 12% per annum payable from the date of retirement within the time that may be stipulated by this Honourable Court by considering and passing orders on the representation of the Petitioner dated 05.01.2016.

WP No.25577 of 2016

Directing the 1st respondent herein consider and to dispose of the petitioner 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 Benefits 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 01.05.2016 in accordance with law within a time frame that may be fixed by this Honourable Court

WP No.25580 of 2016

Directing the 2nd respondent to disburse the retirement benefits viz., Earned Leave Surrender Salary amount of Rs.3,13,842 (Rupees Three Lakhs Thirteen Thousand Eight Hundred and Forty Two only) with 18% interest on delayed payment to the petitioner who had retired from service on 31.03.2011 as Superintendent in the 2nd respondent office

WP No.25581 of 2016

Directing the 2nd respondent to disburse the retirement benefits viz., Earned Leave Surrender Salary amount of Rs.3,36,673/- and SSS Fund amount of Rs.45,000/- and the Total comes to Rs.3,81,673/- (Rupees Three Lakhs Eighty One Thousand Six Hundred and Seventy Three only) with 18% interest on delayed payment to the petitioner who had Voluntarily retired from service on 31.12.2012 as Superintendent in the 2nd respondent office

WP No.25605 of 2016

Directing the respondents to disburse the payments relating to paid provident Fund Gratuity, Commutation, Leave Encashment (Earned Leave & Old Medical Leave) , Labour Welfare Fund, IRT Share amount by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.02.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.25606 of 2016

Directing the respondents to disburse the payments relating to provident Fund, Gratuity, Commutation, and Leave Encashment (Earned Leave & Old Medical Leave) , Leave Surrender in the year of 2009 to 2011, Labour Welfare Fund, IRT Share amount by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.12.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.25607 of 2016

Directing the respondents to settle the petitioner retirement benefits including the Gratuity, E.L. Surrender Salary of 240 days, amount pertaining to Leave on private affairs, D.A. Arrear in Pension, and all other attendant retirement benefits etc., by calculating D.A. eligible as per newly implemented, with interest at 12% per annum with effect from 01.10.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.25608 of 2016

Directing the respondents to disburse the payments relating to Gratuity, ERPS Pension and all other retirement benefits 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 01.01.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.25609 of 2016

Directing the 2nd respondent to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave & Old Medical Leave) D.A. Arrears and all other retirement benefits and all other retirement benefits 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 01.06.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.25610 of 2016

Directing the 1st respondent to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave & Old Medical Leave) Leave Surrender in the year of 2009 to 2011, DA arrears and other retirement benefits by calculating D.A. eligible as per the newly implemented, with interest at 12% per annum with

effect from 01.04.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.25611 of 2016

Directing the respondent to disburse the payments relating to Gratuity, Leave Surrender in the year of 2009 to 2011, Labour Welfare Fund, IRT Share amount and all other retirement benefits by calculating D.A. eligible as per the newly implemented, with interest at 12% per annum with effect from 01.06.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.25612 of 2016

Directing the respondent to disburse the payments relating to Leave Encashment (Earned Leave & medical Leave), Leave Surrender in the year of 2009 to 2011 and all other retirement benefits calculating D.A. eligible as per the newly implemented, with interest at 12% per annum with effect from 01.06.2012 within the stipulated time as may be fixed by this Honourable Court

WP No.25613 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave & Old medical Leave), Leave Surrender in the year of 2009 to 2011 DA Arrears and all other retirement benefits by calculating D.A. eligible as per the newly implemented, with interest at 12% per annum with effect from 01.08.2012 within the stipulated time as may be fixed by this Honourable Court

WP No.25614 of 2016

Directing the respondents to settle the petitioners retirement benefits such as Leave Encashment (EL) and Leave Encashment (ML-98) and other eligible terminal benefits after duly taken into account the enhanced dearness allowance with interest of 18% interest on delayed payment to the petitioner from 30.06.2011 the date of retirement to till 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.

WP No.25615 of 2016

Directing the respondents to settle the petitioners retirement benefits such as Gratuity, Leave on private affairs, Social Security Scheme, Leave Encashment (EL) and Leave Encashment (ML-98) and other eligible terminal benefits after duly taken into account the enhanced dearness allowance with interest of 18% interest on delayed payment to the petitioner from 31.05.2015 the date of retirement to till 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.

WP No.25616 of 2016

Directing the respondents to settle the petitioners retirement benefits such as Gratuity, Provident Fund, Encashment of Leave Salary (EL) 100 days, Encashment of Leave Salary (ML-98) 90 days, El Surrender- 90 days (for 4 years), Settlement arrears, Pension arrears, PF arrears, Social Security Scheme and other eligible terminal benefits after duly taken into account the enhanced dearness allowance with interest of 18% interest 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.

WP No.25617 of 2016

Directing the respondents to settle the petitioners retirement benefits such as Gratuity, Commutation of pension and other eligible terminal benefits after duly taken into account the enhanced dearness allowance with interest of 18% interest on delayed payment to the petitioner from 30.04.2014 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.

WP No.25618 of 2016

Directing the respondents to settle the petitioners retirement benefits such as Gratuity, commutation of pension, Provident Fund, Encashment of Leave Salary (EL), Encashment of Leave Surrender - 45 days, Encashment of Leave Salary (ML-98) 20 days, Social Security Scheme settlement arrears - 2013 and other eligible terminal benefits after duly taken into account the enhanced dearness allowance with interest of 18% interest on delayed payment to the petitioner from 31.07.2015 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.

WP No.25619 of 2016

Directing the respondents to settle the petitioners retirement benefits such as Gratuity, commutation of pension, Encashment of Leave (EL), Encashment of Leave (ML-98) settlement and other eligible terminal benefits after duly taken into account the enhanced dearness allowance with interest of 18% interest on delayed payment to the petitioner from 30.06.2014 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.

WP No.25620 of 2016

Directing the respondents to settle the petitioners retirement benefits such as Gratuity, commutation of pension, Encashment of Leave (EL), and other eligible terminal benefits after duly taken into account the enhanced dearness allowance with interest of 18% interest on delayed payment to the petitioner from 30.04.2014 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.

WP No.25639 of 2016

Directing the Respondents to settle the petitioners 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 petitioners payable from the date of retirement i.e., 31.5.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

WP No.25640 of 2016

Directing the respondents to settle the petitioners retirement benefits including Gratuity, commutation, leave 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., 31.05.2014 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court

WP No.25646 of 2016

directing the 1st respondent herein consider and to dispose of the petitioners representation dt 31.5.2016 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 30.6.2014 in accordance with law within a time frame that may be fixed by this Honourable Court

WP No.25647 of 2016

directing the 1st respondent herein consider and to dispose of the petitioners representation dt 20.6.2016 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 31.1.2016 in accordance with law within a time frame that may be fixed by this Honourable Court

WP No.25648 of 2016

directing the 1st respondent herein consider and to dispose of the petitioners representation dt 13.6.2016 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 31.5.2015 in accordance with law within a time frame that may be fixed by this Honourable Court

WP No.25649 of 2016

directing the 1st respondent herein consider and to dispose of the petitioners representation dt 20.6.2016 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 31.5.2015 in accordance with law within a time frame that may be fixed by this Honourable Court

WP No.25678 of 2016

Directing the respondents to settle the petitioner retirement benefits including Gratuity, Commutation and Encashment of Leave Salary, should be calculated on the basis of the Pay Settlement of the year 2013 of the Transport Corporation Employees with interest at the rate of not less than 12% per annum from the date of petitioner retirement i.e., 31.07.2015 till the date of settlement, within such time as may be stipulated by this Honourable Court

WP No.25679 of 2016

Directing the respondents to settle the petitioner retirement benefits including Gratuity, Encashment of Leave Salary, Commutation balance amount and D.A. arrears, should be calculated on the basis of the Pay Settlement of the year 2013 of the Transport Corporation Employees with interest at the rate of not less than 12% per annum from the date of petitioner retirement i.e., 31.05.2014 till the date of settlement, within such time as may be stipulated by this Honourable Court

WP No.25682 of 2016

directing the respondents to settle the petitioners retirement benefits including Gratuity, Provident Fund, Leave Surrender ERBS Pension Arrears, Pension DA Arrears, Labour Welfare Fund, Engineering College and Medical College Fund 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., 30.11.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

FOR PETITIONER IN WP.NO.25544/2016 MR.N.ISHAK
FOR PETITIONER IN WP.NO.25577/2016 MR.J.FRANKLIN
FOR PETITIONER IN WP.NOS.25580 & 25581/16 MR.D.VEERASEKARAN
FOR PETITIONER IN WP.NOS.25605 TO 25613/16 MR.J.PRADEEP
FOR PETITIONER IN WP.NOS.25614 TO 25620/16 MR.V.S.JAGADEESAN
FOR PETITIONER IN WP.NOS.25639 & 25640/16 MR.M.SELVAM
FOR PETITIONER IN WP.NOS.25646 TO 25649/16 MR.J.FRANKLIN
FOR PETITIONER IN WP.NOS.25678 & 25679/16 MR.R.MUNUSWAMY
FOR PETITIONER IN WP.NO.25682/16 MR.T.PAPPAIAH DHARMARAJAN

FOR RESPONDENTS IN WP.NO.25544/2016 MR.P.KANNANKUMAR STANDING
COUNSEL

FOR RESPONDENTS IN WP.25577/16
& WPS.25646 TO 25649/16 MR.R.K.GANDHI, STANDING
COUNSEL

FOR 1ST RESPONDENT IN WPS.25580
& 25581/16 & WP.NO.25639/16 MR.M.DIG VIJAY PANDIAN
ADDL.GOV.T.PLEADER

FOR 2ND RESPONDENT IN WPS.25580
& 25581/16 & WP.NO.25639/16 MR.P.PARAMASIVA DOSS,
STANDING COUNSEL

FOR RESPONDENTS IN WP.25640/16 &
WPS.25605 TO 25613/16

MR.R.K.GANDHI STANDING COUNSEL

FOR 1ST RESPONDENT IN WPS.25614
TO 25620/16

MR.P.CHINNADURAI GOVT.ADVOCATE

FOR 2ND RESPONDENT IN WPS.25614
TO 25620/16

MR.R.S.SELVAM STANDING COUNSEL

FOR RESPONDENTS IN WPS.25678
& 25679/16

MR.P.PARAMASIVA DOSS,
STANDING COUNSEL

FOR 1ST RESPONDENT IN WP.25682/16 MRS.M.E.RANISELVAM
ADDL.GOV.T.PLEADER

FOR RESPONDENTS 2 TO 4 IN
WP.25682/16

MR.R.K.GANDHI

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.
paa

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
3/137, Salamedu
Veludha Reddy Post
Villupuram-605 602.

2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Kancheepuram Region
Kancheepuram.
3. The Managing Director,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
No.12, Ramakrishna Road, Salem 636 007.
4. The Administrator,
Tamil Nadu State Transport Corporation (Salem) Ltd.,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai, Chennai-2.
5. The Principal Secretary to Govt.
Transport Department,
Fort St. George, Chennai 600 009.
6. The Managing Director,
State Express Transport Corporation Limited.,
Pallavan Salai, Chennai-2.
7. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Thiruvannamalai Region, Thiruvannamalai.
8. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Rangapuram, Vellore Region, Vellore.
9. The Managing Director,
Tamil Nadu State Transport Corporation (CBE) Ltd.,
Head Office, No.37, Mettupalayam Road, Coimbatore 641 043.
10. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Cuddalore Region, Cuddalore.
11. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust, Thiruvalluvar House,
Pallavan Salai, Chennai-2.
12. The General Manager,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.,
Kavapettai, Kancheepuram 631 501.

13. The General Manager,
Tamil Nadu State Transport Corporation (Salem)Ltd.,
No.12, Ramakrishnan Road, Salem 636 007.
14. The Secretary to Govt. Transport Department,
Fort St. George, Secretariat, Chennai 600 009.
- + 1 CC TO MR.N.ISHAK, ADVOCATE SR 41610
- + 1 CC TO MR.T.PAPPAIAH DHARMARAJAN, ADVOCATE SR 41811
- + 1 CC TO MR.R.S.SELVAM, ADVOCATE SR 42032
- + 3 CCS TO THE GOVT.PLEADER, SR 41946, 41956 & 41967
- + 2 CCS TO MR.D.VEERASEKARAN, ADVOCATE SR 41991 & 41992
- + 2 CCS TO MR.M.SELVAM, ADVOCATE SR 41808 & 41809
- + 2 CCS TO MR.R.MUNUSWAMY, ADVOCATE SR 42276 & 42277
- + 4 CCS TO MR.R.K.GANDHI, ADVOCATE SR 42296 TO 42299
- + 4 CCS TO MR.P.PARAMASIVA DOSS, ADVOCATE SR 42206 TO 42209
- + 5 CCS TO MR.J.FRANKLIN, ADVOCATE SR 41757 TO 41761
- + 7 CCS TO MR.V.S.JAGADEESAN, ADVOCATE SR 41843
- + 10 CCS TO MR.J.PRADEEP, ADVOCATE SR 41787

KR/16/8/16

W.P.Nos. 25544 of 2016,
25577 of 2016, 25580 and 25581 of 2016,
25605 to 25613 of 2016,
25614 to 25620 of 2016, 25639 of 2016,
25640 of 2016,
25646 to 25649 of 2016
25678 and 25679 of 2016
and
25682 of 2016

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