

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.Nos.26041 to 26050 of 2016

1.N.Mathankumar	..Petitioner in WP.26041/2016
2.R.Perumal	..Petitioner in WP.26042/2016
3.C.Sudesan	..Petitioner in WP.26043/2016
4.S.Murugan	..Petitioner in WP.26044/2016
5.S.Pakkirikirishnan	..Petitioner in WP.26045/2016
6.D.Sambandam	..Petitioner in WP.26046/2016
7.M.Mani	..Petitioner in WP.26047/2016
8.K.Ramu	..Petitioner in WP.26048/2016
9.D.Sarveswaran	..Petitioner in WP.26049/2016
10.K.Annadurai	..Petitioner in WP.26050/2016

Vs

1.The Managing Director, Tamil Nadu State Transport Corporation (Villupuram) Limited, Vazhuthareddy Villupuram -605 602	...Ist Respondent in all WPs
2.The General Manager, Tamil Nadu State Transport Corporation (Villupuram) Limited, Rangapuram, Vellore Region, Vellore...	Respondent in WP.26041/2016,26043/16-R2
3.The General Manager, Tamil Nadu State Transport Corporation (Villupuram) Limited, Kancheepuram Region Kancheepuram	...Respondent in WP.No.26042/16,26044/16 26048/16-R2
4.The General Manager, Tamil Nadu State Transport Corporation (Villupuram) Limited, Thiruvannamalai Region, Thiruvannamali	...Respondent in WP.26045/2016-R2
5.The Administrator Tamil Nadu State Transport Corporation Employees Post Retirement Welfare Fund Schemes Thiruvallur House, Pallavan Salai chennai-2	... Respondent in WP.26044/16,26045,26046, 26047,26048,26049,26050/16-R3

6.The General Manager,
TNSTC (Villupuram) Ltd
Vzhuthareddy Villupuram-605 602

...Respondent in WP26046/16
26047/16,26049/16,26050/16
-R2

Prayer in WPs 26041/16 to 26050/16:

WP No.26041 of 2016

Directing the respondents to disburse the payments relating to Gratuity by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.4.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.26042 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Leave Surrender (Earned Leave & 98 Medical Leave), Labour Welfare Fund, Settlement Effect Arrears including Pension Arrears, D.A. Arrears and all other Retirement benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.6.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.26043 of 2016

Directing the respondents to disburse the payments relating to Gratuity Amount by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.7.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.26044 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Surrender (Earned Leave), Labour Welfare Fund, Engineering & Medical College Share Amount, Settlement Effect Arrears including Pension Arrears and all other Retirement benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.1.2014 within the stipulated time as may be fixed by this Honourable Court

WP No.26045 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Surrender (Earned Leave & Old Medical Leave), Settlement Effect Arrears, including Pension Arrears, DA Arrears and all other Retirement benefits) by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.10.2014 within the stipulated time as may be fixed by this Honourable Court

WP No.26046 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Surrender (Earned Leave), Settlement Effect Arrears amount and all other Retirement benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.6.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.26047 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Surrender (Earned Leave), Settlement Effect Arrears amount and all other Retirement benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.6.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.26048 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Pension Commutation and Leave Surrender (Earned Leave & 98 Old Medical Leave) by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.6.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.26049 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Surrender & Earned Leave, Settlement Effect Arrears Amount and all other Retirement Benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.5.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.26050 of 2016

Directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Surrender (Earned Leave), Settlement Effect Arrears Amount and all other Retirement Benefits by calculating D.A. Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of Dearness Allowances also, with interest at 12% per annum with effect from 1.5.2016 within the stipulated time as may be fixed by this Honourable Court

For Petitioners : Mr.J.Pradeep

For Respondents : Mr.P.Paramasivadosh, SC

COMMON ORDER

The grievance of the petitioners in all these Writ Petitions is that even though they retired from the services of the Respondent Transport Corporation long back, till date, their terminal benefits have not been settled. In this regard, they also made representations to the Respondent Transport Corporation. Since there was no response, the Petitioners are before this court.

3. The learned counsel for the Petitioners brought to the notice of this Court the common judgement 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 Respondent Transport Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. The learned counsel would further submit that following the same, this Court has passed similar orders in several writ petitions and pray that a similar order may be passed in these Writ Petitions also.

4. On the above contentions of the learned counsel for the Petitioners, this court heard the learned standing counsel for the Respondents.

5. Considering the facts and circumstances of the case and in view of the earlier orders passed by this Court in similar circumstances, without going into the merits of the matter, the Respondent Transport Corporation is directed to disburse the terminal benefits to the petitioners in twelve equal monthly instalments, in the light of the common judgement passed by this Court in W.A.(MD) Nos.383 to 457 of 2015 dated 12.06.2015. It is also made clear that the first instalment shall commence from 01.11.2016.

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

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

Srcm

To:

- 1.The Managing Director, Tamil Nadu State Transport Corporation (Villupuram) Limited, Vazhuthareddy Villupuram -605 602
- 3.2.The General Manager, Tamil Nadu State Transport Corporation (Villupuram) Limited, Rangapuram, Vellore Region, Vellore.
- 3.The General Manager, Tamil Nadu State Transport Corporation (Villupuram) Limited, Kancheepuram Region Kancheepuram
- 4.The General Manager, Tamil Nadu State Transport Corporation (Villupuram) Limited, Thiruvannamalai Region, Thiruvannamali
- 5.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare
Fund Schemes Thiruvallur House,
Pallavan Salai chennai-2
- 6.The General Manager
TNSTC (Villupuram) Ltd
Vazhuthareddy Villupuram 605 602
+10 ccs to M/s.J.Pradeep Advocate sr 42913
+1 cc to M/s.P.Paramasivadoss Advocate sr 42630

WP.Nos.26041 to
26050 of 2016

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