

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.Nos.26053 to 26068 of 2016

WP.No.26053 of 2016:-

Syed Ahamed Sherrif.N.I. .. Petitioner

...vs..

1.The Managing Director, Tamil Nadu State Transport Corporation Limited, 37, Mettupalayam Road, Coimbatore 641 043 ..1st Respondent in all WPs

2.The General Manager, Tamil Nadu State Transport Corporation (Coimbatore) Limited, Tiruppur Region, Tiruppur 641604 ..2nd Respondent in WP 26053 of 2016

WP 26054 of 2016:

1 S.Murugappan ... Petitioner

Vs

The General Manager
Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043 ... 2nd Respondent in WP 26054 of 2016.

WP 26055 of 2016:

P.Jayakumaran .. Petitioner

vs

The General Manager
Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043 .. 2nd Respondent in WP 26055 of 2016.

WP 26056 of 2016:

K.Paramasivan .. Petitioner

..vs..

The General Manager

Tamilnadu State Transport Corporation Ltd.

37 Mettupalayam Road

Coimbatore 641 043

.. 2nd Respondent in WP
26056 of 2016.

WP 26057 of 2016:

M.Meenakshisundaram

.. Petitioner

..vs..

The General Manager

Tamilnadu State Transport Corporation Ltd.

Kangayam Road,

Tiruppur Region,

Tiruppur 641604.

.. 2nd Respondent in WP
26057 of 2016.

WP 26058 of 2016:

N.Somasundaram

.. Petitioner

..vs..

The General Manager

Tamilnadu State Transport Corporation Ltd.

37 Mettupalayam Road

Coimbatore 641 043

.. 2nd Respondent in WP
26058 of 2016.

WP 26059 of 2016:

M.Balan

.. Petitioner

..vs..

The General Manager

Tamilnadu State Transport Corporation Ltd.

37 Mettupalayam Road

Coimbatore 641 043

.. 2nd Respondent in WP
26059 of 2016.

WP 26060 of 2016:

A.Manokaran

.. Petitioner

vs

The General Manager
Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043 .. 2nd Respondent in WP
26060 of 2016.

WP 26061 of 2016:

K.Sritharan .. Petitioner

vs

The General Manager
Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043 ... 2nd Respondent in WP
26061 of 2016.

WP 26062 of 2016:

K.K.Periasamy .. Petitioner

vs

The General Manager
Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043 ... 2nd Respondent in WP
26062 of 2016.

WP 26063 of 2016:
K.P.Vasanthakumar .. Petitioner

..vs.

The General Manager
Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043 .. 2nd Respondent in WP
26063 of 2016.

WP 26064 of 2016:
M.Rakkiappan .. Petitioner

..vs..

The General Manager
Tamilnadu State Transport Corporation Ltd.
40, Chennimalai Road,
Erode 638 001. .. 2nd Respondent in WP
26064 of 2016.

WP 26065 of 2016:

M.Kanakaraj .. Petitioner

..vs..

The General Manager

Tamilnadu State Transport Corporation Ltd.
40, Chennimalai Road,
Erode 638 001.

.. 2nd Respondent in WP
26065 of 2016.

WP 26066 of 2016:

R.Thangarajan .. Petitioner

..vs..

The General Manager

Tamilnadu State Transport Corporation Ltd.
37, Mettupalayam Road
Coimbatore 641 043

.. 2nd Respondent in WP
26066 of 2016.

WP 26067 of 2016:

M.P.Sivakumar .. Petitioner

..vs..

The General Manager

Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043

.. 2nd Respondent in WP
26043 of 2016.

WP 26068 of 2016:

V.Kuppuraj .. Petitioner

..vs..

The General Manager

Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043

.. 2nd Respondent in WP
26068 of 2016.

Prayer:- WP.No.26053 of 2016 is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the Respondents to pay the Petitioners all their retirement benefits including the gratuity amount leave salary and other benefits with interest at the rate of 18% per annum and to grant them the interest at the rate of 18% per annum for the belated settlement of their eligible benefits.

WP 26054/16: To issue a Writ or order or direction or in the nature of writ to issue a Writ of Mandamus directing the respondents to pay the petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary and all other benefits with interest at the rate of 18% per annum within the time that may 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.

WP 26055/16: To issue a Writ or order or direction or in the nature of writ to issue a Writ of Mandamus directing the respondents to pay the petitioner all his retirement benefits including Leave Salary and other benefits with interest at the rate of 18% per annum within the time that may 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.

WP 26056/16: To issue a Writ or order or direction or in the nature of writ to issue 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 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.

WP 26057/16: To issue a Writ or order or direction or in the nature of writ to issue 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 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.

WP 26058/16: To issue a Writ or order or direction or in the nature of writ to issue a Writ of Mandamus 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 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.

WP 26059/16: 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 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.

WP 26060/16: To issue a Writ or order or direction or in the nature of writ to issue 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 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.

WP 26061/16: To To issue a Writ or order or direction or in the nature of writ to issue 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.

WP 26062/16: To issue a Writ or order or direction or in the nature of writ to issue 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.

WP 26063/16: To issue a Writ or order or direction or in the nature of writ to issue a Writ of Mandamus 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.

WP 26064/16: To issue a Writ or order or direction or in the nature of writ to issue 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.

WP 26065/16: To issue a Writ or order or direction or in the nature of writ to issue a Writ of Mandamus 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.

WP 26066/16: To issue a Writ or order or direction or in the nature of writ to issue a Writ of Mandamus 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.

WP 26067/16: To issue a Writ or order or direction or in the nature of writ to issue a Writ of Mandamus 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.

WP 26068/16: To issue a Writ or order or direction or in the nature of writ to issue 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.

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The other Writ Petitions are filed for the reliefs as stated therein.

For Petitioners : Mr.A.Rajendiran

For Respondents : Mr.R.S.Selvam, SC

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 01.10.2016.

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

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Srcm

To:

1.The Managing Director, Tamil Nadu State Transport Corporation Limited,
37, Mettupalayam Road, Coimbatore 641 043

2.The General Manager, Tamil Nadu State Transport Corporation (Coimbatore) Limited,
Tiruppur Region, Tiruppur 641604

3.The General Manager
Tamilnadu State Transport Corporation Ltd.
37 Mettupalayam Road
Coimbatore 641 043

4.The General Manager
Tamilnadu State Transport Corporation Ltd.
40, Chennimalai Road,
Erode 638 001.

16 ccs to Mr.A.Rajendiran, Advocate, sr.42489
1 cc to Mr.R.S.Selvam, Advocate, sr.42554

WP.Nos.26053 to
26068 of 2016

ak co
kra 29.08.2016

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