

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.07.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

WP.Nos.26103 to 26108 of 2016

G.Premkumar	Petitioner in WP.26103/2016
T.Pinto Stephen	Petitioner in WP.26104/2016
E.Kaasi Sankara Namasivayam	Petitioner in WP.26105/2016
E.R.Sasitharan	Petitioner in WP.26106/2016
D.Babu	Petitioner in WP.26107/2016
K.Ramesh	Petitioner in WP.26108/2016

Vs

- 1.The Principal Secretary to Government
Transport Department, Fort St.George
Chennai-9 R1 in all Wps.
- 2.The Managing Director, Metropolitan Transport
Corporation (Chennai) Limited,
Chennai-2 R2 in WP.26103, 26106,
26107and 26108/2016
- 3.The Managing Director,
Tamil nadu State Transport Corporation
(Coimbatore) Ltd, 37, Mettupalayam Road,
Coimbatore.43. R2 in WP.26104/2016
- 4.The Manging Director,
Tamil Nadu State Transport Corporation
(Salem) Limited,
No.12, Ramakrishna Road, Salem. R2 i WP.26105/2016
5. The Administrator,
Tamil Nadu State Transport Corporation
Pension Fund Trust, Thiruvalluvar House
Pallavan Salai, Chennai 600 002. R3 in WP.26104 and
WP.26106/2016.

Prayer:- WP.No. 26103 of 2016 is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the 2nd Respondent to disburse the retirement benefits, viz. Earned Leave Surrender Salary amount of Rs.1,22,851/- with 18% interest on delayed payment to the Petitioner Senior Trades Man Staff No. TO8513 who retired from service on 31.5.2013.

W.P.No.26104 of 2016: Writ Petition filed under Article 226 of

the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to disburse the retirement benefits viz. Provident Fund Contribution amount of Rs.33,46,000/-. Earned Leave Surrender Salary of Rs.8,00,000/-, Gratuity amount of Rs.10,00,000/-, Leave on Private affairs of Rs.3,20,000/- and the total comes to Rs.54,66,000/- (Rupees Fifty four lakhs sixty six thousand only) with 18% interest on delayed payment to the petitioner as Manager who retired from service on 31.5.2016.

W.P.No.26105 of 2016: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to disburse the retirement benefits viz. Provident Fund Contribution amount of Rs.36,17,745/-. Gratuity Amount of Rs.10,00,000/-, Earned Leave Surrender Salary of Rs.10,77,544/-, Leave on Private affairs amount of Rs.4,16,799/- SSS Fund amount of Rs.70,223/- All totally comes to Rs.61,82,311/- (Rupees Sixty one lakh eight two thousand three hundred and eleven only) with 18% interest on delayed payment to the petitioner as Manager- Accounts in the 2nd respondent's office who retired from service on 29.02.2016.

W.P.No.26106 of 2016: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd and 3rd respondent to disburse the retirement benefits viz. Earned Leave surrender Salary amount of Rs.2,38,270/-, Social Security Scheme Fund amount of Rs.45,000/- and pension Commutation amount of Rs.4,91,378/-, the total comes to Rs.7,74,648/- (Rupees Seven lakhs seventy four thousand six hundred and forty eight only with 18% interest on delayed payment to the petitioner the Selection Grade Assistant Engineer Staff No.AO 8050 who retired from service on 30.9.2015.

W.P.No.26107 of 2016: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to disburse the retirement benefits viz. Earned Leave surrender Salary amount of Rs.4,42,530/- , 1998 settlement Medical leave Benefit of Rs.2,83,300/-, Social Security Scheme Fund of Rs.20,000/- and total comes to Rs.7,45,830/- (Rupees Seven lakhs forty five thousand eight hundred and thirty only) with 18% interest on delayed payment to the petitioner the selection grade Assistant Engineer Staff No.AO6036 who retired from service on 31.8.2014.

W.P.No.26108 of 2016: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 2nd respondent to disburse the retirement benefits viz. Earned Leave Surrender Salary of Rs.4,58,017/- (Rupees four lakhs fifty eight thousand and seventeen only) with 18% interest on delayed payment to the petitioner the Senior Assistant Engineer Staff No.T 00 470 who retired from service on 31.3.2013.

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

For Petitioners : Mr.D.Veerasekaran

For Respondents : Mr.P.Chinnadurai, GA-R1
Mr.P.Kannankumar, SC-R2

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.
Srcm

(Sd)
Assistant Registrar,

True copy

Sub Assistant Registrar.

To:

- 1.The Principal Secretary to Government
Transport Department, Fort St.George
Chennai-9
 - 2.The Managing Director, Metropolitan Transport
Corporation (Chennai) Limited, Chennai-2
 3. The Administrator, Tamil Nadu State
Transport Corporation, Pension Fund Trust,
Thiruvalluvar House, Pallavan Salai,
Chennai 2.
 4. The Managing Director,
Tamil Nadu State Transport Corporation
(Coimbatore) Ltd, 37, Mettupalayam Road,
Coimabtoe 641 043.
 5. The Managing Director,
Tamil Nadu State Transport Corporation
(Salem) Limited, No.12, Ramakrishna Road,
Salem.
- + 6 ccs to Mr.D.Veerasekaran, Advocate SR 42463 to 42468
+ 1 cc to Govt.Pleader SR 42752
- gj(co)
prk29/8
- WP.Nos.26103 to 26108 of 2016

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