

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.08.2016

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THE HONOURABLE Mr. JUSTICE T.S.SIVAGNANAM

W.P.Nos.26839 to 26846 of 2016

- 1 R.AYYANAR
(STAFF NO.MVR 010) ... PETITIONER in WP No.26839 of 2016
- 1 V.THANGAVEL (STAFF NO.AR 0263)
... PETITIONER in WP No.26840 of 2016
- 1 P.LOGANTHAN
(STAFF NO.TR 0378) ... PETITIONER in WP No.26841 of 2016
- 1 R.NAGARAJAN (STAFF NO.AS 0143)
... PETITIONER in WP No.26842 of 2016
- 1 S.SYED AKBAR (STAFF NO.MBR 030)
... PETITIONER in WP No.26843 of 2016
- 1 S.PERUMAGOUNDAN
(STAFF NO.CR.2079) ... PETITIONER in WP No.26844 of 2016
- 1 P.VASANTHA MOHAN
(STAFF NO.DR.2684) ... PETITIONER in WP No.26845 of 2016
- 1 M.KANDASAMY
(STAFF NO.CR2537) ... PETITIONER in WP No.26846 of 2016

..Vs..

- 1 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(SALEM) LTD NO.12 RAMAKRISHNA ROAD
SALEM- 636 007.
- 2 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE PALLAVAN SALAI
CHENNAI-600 002.

... RESPONDENT in WP No.26839,26840,
26841,26843,26844,26845,26846
of 2016

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

... RESPONDENT in WP No.26842 of 2016

Prayer in WP 26839/16:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mamdamus directing the respondents to disburse the payments relating to Provident Fund (EPF & VPF), Gratuity, ERPS Pension, Leave Encashment (Earned Leave & 1999 Old Medical Leave), Leave Surrender for year of 2009-2011, Labour Welfare Fund, IRT Share Amount, Review Arrear, Settlement Effect Arrears 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 01.05.2016 within the stipulated time as may be fixed by this Court.

WP No.26840 of 2016

Directing the Respondents to disburse the payments relating to Leave Encashment (Earned Leave & Old Medical Leave), Leave Surrender for year of 2009-2011, other benefits 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 01.06.2011 within the stipulated time as may be fixed by this Honourable court

WP No.26841 of 2016

Directing the Respondents to disburse the payments relating to Leave Encashment (Earned Leave & Old Medical Leave), Leave Surrender for year of 2009-2011 and other benefits 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 01.05.2012 within the stipulated time as may be fixed by this Honourable court

WP No.26842 of 2016

Directing the Respondents to disburse the payments relating to Provident Fund, Gratuity, Commutation and Leave Encashment (Earned Leave & Old Medical Leave), Pending Leave Surrender, Labour Welfare fund, IRT Share amount and all other retirement benefits 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 01.06.2016 within the stipulated time as may be fixed by this Honourable court

WP No.26843 of 2016

Directing the Respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave & Old Medical Leave), Leave Surrender for year of 2009-2011 and other benefits 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 01.09.2012 within the stipulated time as may be fixed by this Honourable court

WP No.26844 of 2016

Directing the Respondents to disburse the payments relating to Gratuity, Commutation, Leave Encashment (Earned Leave & Medical Leave), Leave Surrender for year of 2009-2011, Labour Welfare fund, IRT Share amount, Settlement effect arrears 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 01.06.2016 within the stipulated time as may be fixed by this Honourable court

WP No.26845 of 2016

Directing the Respondents to disburse the payments relating to Gratuity, Commutation, Leave Encashment (Earned Leave & Medical Leave), Leave Surrender for year of 2009-2011, Labour Welfare fund, IRT Share amount, Settlement effect arrears 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 01.11.2015 within the stipulated time as may be fixed by this Honourable court

WP No.26846 of 2016

Directing the Respondents to disburse the payments relating to Gratuity, Commutation, Leave Encashment (Earned Leave & Medical Leave), Leave Surrender for year of 2009-2011, Labour Welfare fund, IRT Share amount, Review Arrear, Settlement Effect arrears, 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 01.06.2016 within the stipulated time as may be fixed by this Honourable court.

For Petitioner : Mr.J.Pradeep

For Respondents: Mr.Paramasivadoss

COMMON ORDER

Heard Mr.J.Pradeep, learned counsel appearing for the petitioner and Mr.Paramasivadoss, learned standing counsel who has taken notice for the respondents. With the consent of either side, the writ petition itself is taken up for final disposal.

2.The petitioners are employees of the respondent/Transport Corporation and have attained the age of superannuation and retired from service. However, their pensionary benefits has not been settled and therefore, the petitioners have approached this Court and filed these Writ Petitions to consider their representation for grant of pension.

3.It is brought to the notice of this Court by the learned counsel appearing on either side that this Court has considered a similar Writ Petition, and following the order passed by the Hon'ble Division Bench in the case of K.Rajendran and others vs. The Tamil Nadu State Transport Corporation (Madurai) Ltd. represented by its Managing Director, Madurai and others), dated 12.6.2015, issued directions to the respondent Corporation to settle the entire terminal benefits due and payable to the petitioner in twelve equal installments, carrying interest @ 6% p.a.

4.In the light of the said order, these Writ Petitions are disposed of with a direction to the respondent/Corporation to settle the entire terminal benefits due and payable to the petitioners in twelve equal installments, carrying interest @ 6% p.a. First of such installments shall commence from September 2016. All the payments shall be paid on or before 7th of each month. In the event of delay in payment of any one of the installments, the same shall be payable along with interest at 18% p.a., for the delayed payment, and leaving it open to the petitioners to invoke other remedies available to them in the event of such non payment of installments.

5.The Writ Petitions stand disposed of as indicated above.
No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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To

1.The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited
No.12, Ramakrishna Road
Salem - 7.

2.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai - 600 002.

8 ccs to M/s.J.Pradeep, Advocate, sr.44065

1 cc to M/s.P.Paramasivadoss, Advocate, sr.43861

W.P.Nos.26839 to 26846 of 2016

mp co
kra 09.08.2016

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