

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:29.08.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.Nos.29828, 29842,29867 of 2016, 29888 to 29898 of 2016,
29899 to 29911 of 2016, 29919 to
29928 of 2016,

29935 to 29937, 29964 and 29977 of 2016

[42 cases]

M.Ponnusamy	..Petitioner in WP.29828/16
R.Chinnasamy	..Petitioner in WP.29842/16
K.Raman	..Petitioner in WP.29867/16
N.Nagarajan	..Petitioner in WP.29888/16
M.Sudhakaran	..Petitioner in WP.29889/16
S.Parameswaran	..Petitioner in WP.29890/16
J.Thangaraj	..Petitioner in WP.29891/16
S.Panneerselvam	..Petitioner in WP.29892/16
A.Robert Rajan	..Petitioner in WP.29893/16
A.Kumar	..Petitioner in WP.29894/16
C.Krishnamoorthy	..Petitioner in WP.29895/16
K.G.Jayabalan	..Petitioner in WP.29896/16
A.Subramanian	..Petitioner in WP.29897/16
P.Perumal	..Petitioner in WP.29898/16
M.Arumugam	..Petitioner in WP.29899/16
D.Ganesan	..Petitioner in WP.29900/16
M.Gulam Dastagir	..Petitioner in WP.29901/16
M.Magalingam	..Petitioner in WP.29902/16
K.Chelladurai	..Petitioner in WP.29903/16
A.Kuppusamy	..Petitioner in WP.29904/16
K.Subramaniam	..Petitioner in WP.29905/16
K.Abibullah	..Petitioner in WP.29906/16
K.Thangavel	..Petitioner in WP.29907/16
K.Murugesan	..Petitioner in WP.29908/16
K.Sekar	..Petitioner in WP.29909/16
C.Devaraj	..Petitioner in WP.29910/16
G.J.Vijayakumar	..Petitioner in WP.29911/16
T.Gnanaprakasam	..Petitioner in WP.29919/16
N.Rajendiran	..Petitioner in WP.29920/16
S.Murugan	..Petitioner in WP.29921/16
R.Mathesu	..Petitioner in WP.29922/16
C.Arumugam	..Petitioner in WP.29923/16
R.Thangavel	..Petitioner in WP.29924/16
P.karumalai	..Petitioner in WP.29925/16
C.Sankaran	..Petitioner in WP.29926/16

K.Chinnathambi	..Petitioner in WP.29927/16
R.Shobana	..Petitioner in WP.29928/16
V.Sekar	..Petitioner in WP.29935/16
R.Kuppamuthu	..Petitioner in WP.29936/16
R.Sergoban	..Petitioner in WP.29937/16
A.Arunachalam	..Petitioner in WP.29964/16
Palaniappan	..Petitioner in WP.29977/16

vs

The Managing Director
Tamilnadu State Transport Corporation Ltd
12 Ramakrishna Road Salem 636 007

The Administrator
Tamilnadu State Transport Corporation
Employees Post Retirement Welfare Fund
scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002. ..Respondent in WP.29828/16

The Managing Director
Tamilnadu State Transport Corporation
(Villupuram) Ltd. 3/137 Salamedu
Villupuram 605 602

The Administrator
Tamilnadu State Transport Corporation
Employees Pension Fund Pallavan Salai
Chennai-2 ..Respondent in WP.29842/16

The Principal Secretary to
Government Transport Department Fort St.
George Chennai-600 009.

The Managing Director
Tamil Nadu State Transport Corporation (CBE)
Ltd 37 Mettupalayam Road Coimbatore- 641
043 ..Respondent in WP.29867/16

The Managing Director,
Tamil Nadu State Transport
Corporation Ltd. 37 Mettupalayam Road
Coimbatore-641 043 ..Respondent in WP.29888,29889, 29890,
29891, to 29898/16

The Management of Tamilnadu,
State Transport Corporation Ltd.

Rep by its Managing Director,
Coimbatore-641 043.

The Administrator
TamilNadu State Transport Employees Pension
Fund Trust Thiruvalluvar Illam Anna Salai
Chennai-2 ..Respondents in WP.29899 to 29911/16

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

The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-2. ..Respondent in WP.29919 to 29928/16

The Government of Tamilnadu
Rep by the Secretary Transport Department
Secretariat St. George Fort Chennai-600 009

The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd No.12 Ramakrishnan Road
Salem-636 007

The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd No.12 Ramakrishnan Road
Salem-636 007

The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002 ..Respondent in WP.29935 to 29937/16

The Tamilnadu State Transport Corporation
(Kovai) Ltd.,
Rep by Managing Director, Mettupalayam Road,
Coimbatore. ..Respondent in WP.29904/16

The Managing Director,
Tamilnadu State Transport Corporation

(Salem) Ltd.,
No.12, Ramakrishna Road, Salem.
..Respondent in WP.29977/16

Prayer in WP.29828/16: Directing the respondents to disburse the payments relating to Provident Funds Gratuity Pension Commutation Family Welfare Fund Balance ERBS Pension Arrears Surrender Leave Salary i.e. Earned Leave balance as on 30.6.2016 balance dearness allowance surrender medical leave salary up to 1.9.1998 by calculating DA Eligible as per the newly implemented scheme with interest at 12% per annum with effect from 01.4.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29842/16: To direct the respondent to settle terminal benefits of the petitioner such as Gratuity Leave Salary and Commutation of Pension with 12% interest from the date of retirement to the date of payments.

WP.No.29867/16: Directing the 2nd respondent to disburse the retirement benefits viz. Gratuity amount of Rs.10 00 000/- Provident Fund Contribution amount of Rs.6 00 000/- Earned Leave Salary amount of Rs.5 50 000/- and Social Security Scheme Fund amount Rs.35,000/- All totally comes to Rs.21 85 000/- (Rupees Twenty one lakhs eighty five thousand only) with 18% interest on delayed payment to the petitioner who is retired from service on 30.06.2016 as Selection Grade Assistant Engineer in the 2nd respondents office.

WP.No.29888/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29889/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Gratuity and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent

within the time frame that may be stipulated by this Honble Court.

WP.No.29890/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29891/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29892/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent within the time frame that may be stipulated by this Honble Court.

WP.29893/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29894/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Provident Fund Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29895/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29896/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Gratuity Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29897/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Gratuity and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29898/16: Directing the Respondent to pay the Petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honble 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 off retirement to till the date of settlement by the Respondent within the time frame that may be stipulated by this Honble Court.

WP.No.29899/16: Directing the 1st respondents to pay the petitioner Rs.3 84 122/- towards Gratuity and Rs.65 881/- towards Leave Salary together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution Rs.2 16 594/- for the period from

30.09.12 to 30.11.12 at the rate as per E.P.F. Scheme and further directing the 1st & 2nd respondents to pay him interest amount towards the delayed payment of Pension Commutation Rs.2,08,169/- for the period from 30.09.2012 to 28.10.2013 at the rate of 18% p.a within a time frame as may be fixed by this Honourable Court.

WP.No.29900/16: Directing the 1st respondents to pay the petitioner Rs.4 57 569/- towards Gratuity together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution Rs.1 56 404/- for the period from 30.09.12 to 23.11.12 at the rate as per E.P.F. Scheme and further directing the 1st & 2nd respondents to pay him interest amount towards the delayed payment of Pension Commutation Rs.2 33 082/- for the period from 01.10.2012 to 13.11.2013 at the rate of 18% p.a within a time frame as may be fixed by this Honourable Court.

WP.no.29901/16: Directing the 1st respondents to pay the petitioner Rs.4 99 791/- towards Gratuity and Rs.1 20 674/- towards leave salary together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution Rs.268910/- for the period from 28.02.13 to 29.04.13 at the rate as per E.P.F. Scheme and further directing the 1st & 2nd respondents to pay him interest amount towards the delayed payment of Pension Commutation Rs.2 51 665/- for the period from 01.03.2013 to 12.11.2013 at the rate of 18% p.a within a time frame as may be fixed by this Honourable Court.

WP.29902/16: Directing the 1st respondents to pay the petitioner Rs.3 69 765/- towards Gratuity and Rs.1 71 947/- towards leave salary together with 18% interest per annum and further directing the 1st & 2nd respondents to pay him interest amount towards the delayed payment of pension Commutation amount Rs.1 98 694/- for the period from 01.03.13 to 24.10.13 at the rate of 18% p.a within a time frame as may be fixed by this Honourable Court.

WP.No.29903/16: Directing the 1st respondents to pay the petitioner Rs.5 21 406/- towards Gratuity and Rs.37 761/- towards leave salary together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution Rs.155927/- for the period from 31.05.13 to 07.08.13 at the rate as per E.P.F Scheme and further directing the 1st & 2nd respondents to pay him interest amount towards the delayed payment of Pension Commutation Rs.2 54 746/- for the period from 01.06.13 to 20.11.13 at the rate of 18%

interest within a time frame as may be fixed by this Honourable Court.

WP.No.29904/16: Directing the 1st respondents to pay the petitioner Rs.5 22 208/- towards Gratuity Rs.1 41 736/- towards leave salary and arrears of salary for the period from 01.09.13 to 30.09.13 payable pursuant to new wage settlement dated 13.04.15 together with 18% interest per annum and further directing the respondents to pay him arrears of pension for the period from 01.10.13 by revising his pension together with 18% interest per annum after calculating all his terminal/pension benefits based on the monthly wages payable to him on the month of his retirement i.e. September 2013 by revising the same as per the settlement dated 13.04.15 as ordered by the Honourable Division Bench of this Court.

WP.No.29905/16: Directing the 1st respondents to pay the petitioner Rs.5 85 127/- towards Gratuity and arrears of salary for the period from 01.09.13 to 28.02.14 payable pursuant to new wage settlement dated 13.04.15 together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution Rs.2 10 664/- for the period from 28.02.14 to 17.06.14 at the rate as per E.P.F Scheme and further directing the respondents to pay him arrears of pension for the period from 01.03.14 by revising his pension together with 18% interest per annum after calculating all his terminal/pension benefits based on the monthly wages payable to him on the month of his retirement.

WP.No.29906/16: Directing the 1st respondents to pay the petitioner Rs.4 26 202/- towards Gratuity and arrears of salary for the period from 01.09.13 to 28.02.14 payable pursuant to new wage settlement dated 13.04.15 together with 18% interest per annum and further directing the respondents to pay him Rs.1 97 890/- towards the Pension Commutation amount and arrears of pension for the period from 01.03.14 by revising his pension together with 18% interest per annum after calculating all his terminal/pension benefits based on the monthly wages payable to him on the month of his retirement i.e. February 2014 by revising the same as per the settlement dated 13.4.15 as ordered by the Honourable Division Bench.

WP.No.29907/16: Directing the 1st respondents to pay the petitioner Rs.6 58 800/- towards Gratuity and arrears of salary for the period from 01.09.13 to 31.03.14 payable pursuant to new wage settlement dated 13.04.15 together with 18% interest per annum and further directing the respondents to pay him Rs.2 65 495/- towards the Pension Commutation and arrears of pension for the period from 01.04.14 by revising his pension

together with 18% interest per annum after calculating all his terminal/pension benefits based on the monthly wages payable to him on the month of his retirement i.e. March 2014 by revising the same as per the settlement dated 13.4.15 as ordered by the Honourable Division Bench of this Court.

WP.no.29908/16: Directing the 1st respondents to pay the petitioner Rs.8 35 915/- towards Gratuity Rs.2 31 626/- towards leave salary and arrears of salary for the period from 01.09.13 to 31.05.14 payable pursuant to new wage settlement dated 13.04.15 together with 18% interest per annum and further directing the respondents to pay him arrears of pension for the period from 01.06.14 by revising his pension together with 18% interest per annum after calculating all his terminal/pension benefits based on the monthly wages payable to him on the month of his retirement i.e. May 2014 by revising the same as per the settlement dated 13.4.15 as ordered by the Honourable Division Bench of this Court.

WP.No.29909/16: Directing the 1st respondents to pay the petitioner Rs.5 23 610/- towards Gratuity Rs.31 133/- towards leave salary and arrears of salary for the period from 01.09.13 to 31.12.14 payable pursuant to new wage settlement dated 13.04.15 together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution Rs.1 06 743/- for the period from 31.12.14 to 31.03.15 at the rate as per E.P.F Scheme and further directing the respondents to pay him Rs.220191/- towards the pension commutation amount and arrears of pension for the period from 01.01.15 by revising his pension together with 18% interest per annum after calculating all his terminal/pension benefits.

WP.No.29910/16: Directing the 1st respondents to pay the petitioner Rs.6 41 729/- towards Gratuity Rs.1 88 050/- towards leave salary and arrears of salary for the period from 01.09.13 to 31.01.15 payable pursuant to new wage settlement dated 13.04.15 together with 18% interest per annum and further directing the respondents to pay him Rs.2 64 992/- towards the pension Commutation and arrears of pension for the period from 01.02.15 by revising his pension together with 18% interest per annum after calculating all his terminal/ pension benefits based on the monthly wages payable to him on the month of his retirement i.e. January 2015 by revising the same as per the settlement dated 13.04.15.

WP.No.29911/16: Directing the 1st respondents to pay the petitioner Rs.5 46 953/- towards Gratuity Rs.4 00 489/- towards leave salary and arrears of salary for the period from 01.09.13 to 31.03.15 payable pursuant to new wage settlement dated

13.04.15 together with 18% interest per annum along with interest amount towards the delayed payment of EPF Employees Contribution Rs.487471/- for the period from 31.03.15 to 19.11.15 at the rate as per E.P.F. Scheme and further directing the respondents to pay him arrears of pension for the period from 01.04.15 by revising his pension together with 18% interest per annum after calculating all his terminal/ pension benefits based on the monthly wages payable.

WP.No.29919/16: Directing the Respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave and Medical Leave) Surrender Leave Salary for the year 2009-2011 D.A.Arrears 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 1.7.2012 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29920/16: Directing the Respondents to disburse the payments relating to Gratuity Commutation Leave Encashment (Earned Leave and Medical Leave) Surrender Leave Salary for the year 2009-2011 D.A.Arrears 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 1.7.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29921/16: Directing the Respondents to disburse the payments relating to Gratuity Surrender Leave Salary for the year 2009-2011 D.A. Arrears 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 1.12.2012 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29922/16: Directing the Respondents to disburse the payments relating to Provident Fund Gratuity Commutation Leave Encashment (Earned Leave and Medical Leave) Surrender Leave Salary for the year 2009-2011 Labour Welfare Fund IRT Share 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 1.6.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29923/16: Directing the Respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave and Medical Leave) Surrender Leave Salary for the year 2009-2011 D.A.Arrears 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 1.6.2014 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29924/16: Directing the Respondents to disburse the payments relating to Leave Encashment (Earned Leave and Medical Leave) Surrender Leave Salary for the year 2009-2011 D.A.Arrears 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 1.8.2011 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29925/16: Directing the Respondents to disburse the payments relating to Gratuity D.A.Arrears 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 1.1.2013 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29926/16: Directing the Respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave and Medical Leave) Surrender Leave Salary for the year 2009-2011 D.A.Arrears 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 1.2.2013 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29927/16: Directing the Respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave and Medical Leave) Surrender Leave Salary for the year 2009-2011 D.A.Arrears 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 1.5.2011 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29928/16: Directing the Respondents to disburse the payments relating to Provident Fund Gratuity Leave Encashment (Earned Leave and Old Medical Leave) Surrender Leave Salary for the year 2009-2011 Labour Welfare Fund IRT Share 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 1.6.2016 within the stipulated time as may be fixed by this Honourable Court.

WP.No.29935/16: Directing the respondents to settle the petitioners retirement benefits including Gratuity ERBS Pension arrears pension DA Arrears Earned leave balance Surrender Leave (EL & ML) settlement benefits I.R.T. Medical College share fund and interest for the period of belated settlement of provident Fund labour Welfare Fund Commutation and in other benefits other benefits 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. 28.02.2014 to till date of actual payment.

WP.No.29936/16: Directing the respondents to settle the petitioners retirement benefits including Gratuity ERBS Pension arrears pension DA Arrears Surrender leave salary ie. Earned leave balance M.L. Credit E.L.Surrender and interest for belated settlement of Commutation Labour Welfare fund and in other benefits 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. 31.01.2013 to till date of actual payment to the petitioner within the time that may be stipulated.

WP.No.29937/16: Directing the respondents to settle the petitioners retirement benefits including Gratuity Surrender Leave (EL & ML) Balance of Commutation ERBS Pension arrears pension DA Arrears and Interest for belated settlement of P.F. Labour Welfare Fund Commutation and in other benefits 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. 30.04.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

WP.No.29964/16: Directing the respondent to settle petitioner terminal benefits of Provident Fund Amount of Rs.8 90 000/- Gratuity amount of Rs.8 55 290/- Earned Leave and Medical Leave surrender amount of Rs.6 11 956/- Leave on private affairs amount of Rs.1 45 000/- altogether a sum of Rs. 25 02 336/- with interest at the rate of 6% per annum taking into consideration of petitioner representation dated 06.08.2016.

WP.No.29977/16: Direct the respondent to pay the retirement benefits such as (i) Provident Fund (ii) gratuity (iii) Earn Leave (EL) (iv) Medical Leave (ML) 60 days (V) Commutation (vi) EL. Surrender (vii) Labour Fund (viii) IRTT and other benefits payable to the petitioner with the interest at the rate of 18% per annum from 31.5.2016 the date of retirement.

For Petitioners : Mr.I.C.Vasudevan
in W.P.Nos.29828 of 2016
Mr.S.T.Varadarajulu
in W.P.No.29842 of 2016
Mr.D.Veerasekaran
in W.P.No.29867 of 2016
Mr.A.Rajendiran
in W.P.Nos.29888 to 29898 of 2016
Mr.V.Ajoykhose
in W.P.Nos.29899 to 29911 of 2016
Mr.J.Pradeep
in W.P.Nos.29919 to 29928 of 2016
Mr.M.Selvam
in W.P.Nos.29935 to 29937 of 2016
Mr.D.Soundarraaj
in W.P.No.29964 of 2016
Mr.P.Tamilavel
in W.P.No.29977 of 2016

For Respondents : Mr.P.Paramasivadoss
Standing Counsel for Transport
Corporation in W.P.Nos.29828,
29867, 29919 to 29928 of 2016,
29935 to 29937 of 2016 and
29977 of 2016
Mr.S.Sairaman
Standing Counsel for Transport
Corporation
in W.P.Nos.29888 to 29898 of 2016,
29899 to 29911 of 2016

Mr.P.Kannan Kumar
Standing Counsel for Transport
Corporation
in W.P.Nos.29842 of 2016 and
29964 of 2016

Mr.P.Chinnadurai
Government Advocate for State
in W.P.Nos.29867 of 2016

Mr.R.S.Selvam
Government Advocate for State
in W.P.Nos.29935 to 29937 of 2016

COMMON ORDER

Inasmuch as the issue raised in all these writ petitions are one and the same, viz., seeking a direction to the respondent-Transport Corporation to disburse the terminal benefits of the petitioners, all these petitions are taken up together and disposed of by this common order.

2. The grievance of the petitioners is that even though they have retired from the services of the respondent- Transport Corporation two or three years ago, till date their terminal benefits have not been settled. In this regard, they have also submitted representation to the respective Transport Corporations. Since there was no response, they are before this Court by way of these writ petitions.

3. When the matter is taken up today for hearing, 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 respondent-Transport Corporation undertook to pay the amount due and payable in twelve equal monthly instalments. They would further submit that following the same, this Court has passed similar orders in several writ petitions. Accordingly, they would pray that a similar order may be passed in these writ petitions also.

4. Heard the learned counsel for the respective petitioners; Mr.P.Chinnadurai and Mr.R.S.Selvam, learned Government Advocate appearing on behalf of the State; Mr.P.Paramasivadosh, Mr.S.Sairaman and Mr.P.Kannan Kumar learned Standing Counsel for the respective respondent-Transport corporation, who took notice on behalf of 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 respective respondent-Transport Corporation is directed to disburse the terminal benefits to each of 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 dated 12.06.2015. It is also made clear that the first instalment shall commence from 15.12.2016.

6. With the above direction, all these writ petitions are disposed of. No costs.

Sd/-

Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

To

1. The Managing Director
Tamilnadu State Transport Corporation Ltd
12 Ramakrishna Road Salem 636 007
2. The Administrator
Tamilnadu State Transport Corporation
Employees Post Retirement Welfare Fund
scheme Thiruvalluvar House Pallavan Salai
Chennai-600 002.
3. The Managing Director
Tamilnadu State Transport Corporation
(Villupuram) Ltd. 3/137 Salamedu
Villupuram 605 602
4. The Administrator
Tamilnadu State Transport Corporation
Employees Pension Fund Pallavan Salai
Chennai-2
5. The Principal Secretary to
Government Transport Department Fort St.
George Chennai-600 009.
6. The Managing Director
Tamil Nadu State Transport Corporation (CBE)
Ltd 37 Mettupalayam Road Coimbatore- 641043

7. The Managing Director
The Management of Tamil Nadu State Transport Corporation
(Kovai) Ltd
Coimbatore.
 8. The Managing Director
Tamil Nadu State Transport Corporation
(Salem) Ltd No.12 Ramakrishnan Road
Salem-636 007
 9. The General Manager
Tamil Nadu State Transport Corporation
(Salem) Ltd No.12 Ramakrishnan Road
Salem-636 007
 10. The managing Director,
Tamilnadu State Transport Corporation
(Kovai) Ltd., Mettupalayam Road, Coimbatore.
 11. The Managing Director,
Tamilnadu State Transport Corporation
(Salem) Ltd.,
No.12, Ramakrishna Road, Salem.
- +1 cc to Mr.V.Ajoy Khose, advocate, sr.48589.
- +2 cc to Mr.P.Kannakumar, advocate, sr.49444
- +10 cc's to Mr.J.Pradeep, advocate, sr.49465
- +1 cc to M/s.I.C.Vasudevan, advocate, sr.48547
- +3 cc's to M/s.M.Selvam, Advocate, sr.48887
- +1 cc to M/s.P.Tamilavel, advocate, sr.48692
- +1 cc to Mr.S.T.varadarajulu, advocate, sr.48827
- +1 cc to M/s.D.Veerasekaran, advocate, sr.48553
- +2 cc's to Mr.A.Rajendiran, advocate, sr.48768, 590

+1 cc to Mr.P.Paramasivados, advocate,sr.48848.

+1 cc to Govt.Pleader,sr.48986.

rk(co)
krd 22/10/2016

W.P.Nos.29828, 29842,29867 of 2016, 29888 to 29898 of 2016,
29899 to 29911 of 2016, 29919 to
29928 of 2016,
29935 to 29937, 29964 and 29977 of 2016
[42 cases]



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