

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.32693 to 32697 of 2016

R.Ananthasayanam ...Petitioner in WP.32693 of 2016

C.Chakkaravarthy
Staff No.SR09341 ...Petitioner in WP.32694 of 2016

P.Krishnamurthy
Staff No.SR15167 ...Petitioner in WP.32695 of 2016

K.Prabakaran
Staff No.SR15241 ...Petitioner in WP.32696 of 2016

K.V.Chandrasekaran
Staff No.CR09377 ...Petitioner in WP.32697 of 2016

Vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy, Villupuram-605 602.

...R1 in all WPs

The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Thiruvannamalai Region,
Thiruvannamalai.

...R2 in WPs.32693 to 32695
& 32697 of 2016

The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vellore Region,
Vellore.

...R2 in WPs.32696 of 2016

The Administrator,
Tamilnadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvallur House,
Pallavan Salai, Chennai 02.

...R3 in WPs.32694, 32696
of 32697 of 2016

Writ Petitions filed under Article 226 of the Constitution
of India, praying for a Writ of Mandamus,

W.P.No.32693 of 2016 : Directing the respondents to disburse the payments relating Gratuity, DA arrears and all other retirement benefit amount by calculating DA eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowance also, with interest at 12% per annum with effect from 1.5.2013 within the stipulated time as may be fixed by this Court.

W.P.No.32694 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Medical Leave) 12 (3) Settlement arrears D.A. Arrear, Pension arrear and CRBS Pension by calculating D.A. eligible as per newly implemented Scheme, with interest at 12% per annum with effect from 1.10.2014 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32695 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave) D.A. Arrears and all other retirement benefits 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 1.8.2013 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32696 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, Commutation, Leave encasement (Earned Leave & Old Medical Leave) 2013 Settlement Effect Arrears ERBS Pension Arrears and D.A. Arrears by calculating D.A. eligible as per newly implemented with interest at 12% per annum with effect from 1.7.2014 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32697 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, Commutation, Leave Encashment (Earned Leave & Old Medical Lave) 12(3) Settlement effect arrears, Pension arrears, CRBS Pension, 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 1.7.2014 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.D.Karthik,
in all the Writ Petitions

For Respondents : Mr.S.Sairaman,
in all the Writ Petitions

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners joined the services of the Transport Corporation and they retired from service long before. The grievance of the petitioners is that though they retired from service long before, till date, they were not paid with the retirement benefits. In this regard, the petitioners submitted representations before the respondents, on various dates. However, till date, there was no response. Aggrieved against the same, the present Writ Petitions have been filed.

3. I have heard the learned counsel appearing for the petitioners and the learned counsel, who has taken notice on behalf of the respondents.

4. The issue involved in the present writ petitions is squarely covered by the judgment of the Division Bench of the Madurai Bench of this Court dated 12.6.2015 made in W.A.(MD) Nos.383 to 457 of 2015 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others).

5. Following the said judgment, without going into the merits of the matter, the respondents are directed to disburse the aforementioned retiral benefits to 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 (K.Rajendran & Others vs. The Tamil Nadu State Transport Corporation (Madurai) Limited, rep. by its Managing Director, Madurai and others), dated 12.06.2015. It is also made clear that the first instalment shall commence from 1.12.2016.

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

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sbi

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy, Villupuram-605 602.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Thiruvannamalai Region,
Thiruvannamalai.
3. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vellore Region,
Vellore.
4. The Administrator,
Tamilnadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvallur House,
Pallavan Salai, Chennai 02.

+5cc's to Mr.D.Karthik, Advocate, S.R.No.53183
+1cc to Mr.S.Sairaman, Advocate, S.R.No.53328

W.P.Nos.32693 to 32697 of 2016

RSY(CO)
CA(03/10/2016)