

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.32724 to 32736 of 2016

K. Ponnan	..Petitioner in W.P.No.32724/2016
A. Kasavan	..Petitioner in W.P.No.32725/2016
T. Dhandapani	..Petitioner in W.P.No.32726/2016
B. Raj Mohan	..Petitioner in W.P.No.32727/2016
K. Sekar	..Petitioner in W.P.No.32728/2016
R. Perumal	..Petitioner in W.P.No.32729/2016
K. Balakrishnan	..Petitioner in W.P.No.32730/2016
G. Arokiasamy	..Petitioner in W.P.No.32731/2016
V. Balu	..Petitioner in W.P.No.32732/2016
M. Samaraji	..Petitioner in W.P.No.32733/2016
A. Ramalingam	..Petitioner in W.P.No.32734/2016
J. Sundararaj	..Petitioner in W.P.No.32735/2016
P. Balasubramanian	..Petitioner in W.P.No.32736/2016

vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram-605 602 ...1st Respondent in all WPs

The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram Region,
Kancheepuram ...2nd Respondent in W.P.32724

The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Thiruvannamalai Region,
Thiruvannamalai ...2nd Respondent in WP.32725 &
32736/16

The General Manager,
Tamil Nadu State Transport
Corporation(Villupuram) Limited,
Vazhuthareddy, Villupura 605 602 ..2nd Respondent in WP.32726,
32728, 32729, 32732,
32735/16

The Administrator, Tamil Nadu State
Transport Corporation Employees Post
Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002. ..3rd Respondent in WPs.
32726 to 32731, 32734 and
32735/16

The General Manager,
Tamil Nadu State Transport
Corporation(Villupuram) Limited,
Cuddalore Region,
Cuddalore District 608 602 ..2nd Respondent in
WP.32727, 32730, 32731,
32734/16

The General Manager,
Tamil Nadu State Transport
Corporation(Villupuram) Limited,
Rangapuram, Vellore Region
Vellore ..2nd respondent in WP.32733/16

Writ petitions has been filed under Article 226 of the
Constitution of India, praying for a Writ of mandamus

W.P.NO.32724 of 2016: Directing the respondents to disburse the
payments relating to gratuity 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 01.07.2013 within the
stipulated time as may be fixed by this Court.(in WP.32724 of
2016)

W.P.NO.32725 of 2016: Directing the respondents to disburse the
payments relating to Gratuity Leave Encashment (Earned Leave &
Old Medical Leave) 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 1.6.2013 within the stipulated time as may be
fixed by this Honourable Court.

W.P.No.32726 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears Amount Pension Arrears DA Arrears and others 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 1.7.2014 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32727 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears Amount Pension Arrears DA Arrears and others 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 1.2.2016 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32728 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears Amount Pension Arrears DA Arrears and others 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 1.7.2014 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32729 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears Amount Pension Arrears DA Arrears and others 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 1.2.2014 within the stipulated time as may be fixed by this Honourable Court

W.P.No.32730 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation amount Pension Arrears DA Arrears and others 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 1.6.2015 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32731 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave & Old Medical Leave) Settlement Effect Arrears Amount Pension Arrears DA Arrears and others 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 1.8.2014 within the stipulated time as may be fixed by this Honourable Court

W.P.No.32732 of 2016: Directing the respondents to disburse the payments relating to Gratuity DA Arrears and others 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 1.1.2013 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32733 of 2016: Directing the respondents to disburse the payments relating to Gratuity Leave Encashment (Earned Leave & Old Medical Leave) 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 1.8.2014 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32734 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave and Old Medical Leave) DA Arrears and others 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 1.4.2016 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32735 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave and Old Medical Leave) Settlement Effect Arrears Amount Pension Arrears DA Arrears and others 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 1.12.2013 within the stipulated time as may be fixed by this Honourable Court.

W.P.No.32736 of 2016: Directing the respondents to disburse the payments relating to Gratuity Pension Commutation Leave Surrender (Earned Leave and Old Medical Leave) Settlement Effect Arrears Amount Pension Arrears DA Arrears and others 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 1.12.2013 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.J.Pradeep,
in all W.Ps.

For Respondents : Mr.P.Paramasivadosh,
in all W.Ps.

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(CS II)

//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,
Kancheepuram Region,
Kancheepuram
3. The Administrator, Tamil Nadu State
Transport Corporation Employees Post
Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai 600 002.
- 4.The General Manager,
Tamil Nadu State Transport
Corporation(Villupuram) Limited,
Vazhuthareddy, Villupura 605 602.
5. The General Manager,
Tamil Nadu State Transport
Corporation(Villupuram) Limited,
Cuddalore Region,
Cuddalore District 608 602
- 6.The General Manager,
Tamil Nadu State Transport
Corporation(Villupuram) Limited,
Rangapuram, Vellore Region, Vellore.

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

+ 13 ccs to Mr.J. Pradeep, Advocate SR.53181
+ 1 cc to Mr.P. Paramasivados, Advocate Sr.53399

W.P.Nos.32724 to
32736 of 2016

VD(CO)
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