

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.32951 to 32955 of 2016

R.Appaji, (Staff No.TS00506)

S.Gopal (Staff No.CR1898)

S.Selvam (Staff No.SR1092)

V.Arumugam (Staff No.DR0841)

M.Vedachalam (Staff No.CR2004)

... Petitioner in W.P.32951/2016

... Petitioner in W.P.32952/2016

... Petitioner in W.P.32953/2016

... Petitioner in W.P.32954/2016

... Petitioner in W.P.32955/2016

Vs.

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,
Tiruvannamalai Region,
Tiruvannamalai.

3. The Administrator
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002. ... Respondents in all W.Ps.

Prayer in W.P.No.32951 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payment relating to Gratuity, Leave Encashment (Earned & Medical Leave), D.A.arrears, CRBS Pension arrears by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2013 within stipulated time as may be fixed by this Hon'ble Court.

Prayer in W.P.No.32952 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payment relating to Gratuity, D.A.arrears, CRBS Pension arrears by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.09.2012 within stipulated time as may be fixed by this Hon'ble Court.

Prayer in W.P.No.32953 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payment relating to Gratuity, Leave Encashment (Earned & Medical Leave), D.A.arrears, CRBS Pension arrears by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2013 within stipulated time as may be fixed by this Hon'ble Court.

Prayer in W.P.No.32954 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payment relating to Gratuity, Leave Encashment (Earned & Medical Leave), D.A.arrears, CRBS Pension arrears by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2013 within stipulated time as may be fixed by this Hon'ble Court.

Prayer in W.P.No.32955 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payment relating to Gratuity, Leave Encashment (Earned & Medical Leave), D.A.arrears, CRBS Pension arrears by calculating D.A.eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2013 within stipulated time as may be fixed by this Hon'ble Court.

For Petitioners : Mr.D.Karthik

For Respondents : Mr.P.Kannan Kumar

WEB COPY COMMON ORDER

By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these petitions are related to each other, they are disposed of by a common order.

2.The writ petitions have been filed seeking Mandamus directing the respondents to settle the retirement benefits, due

to the petitioners, by calculating D.A. eligible as per newly implemented Scheme, with interest at 12% per annum with effect from the date of their retirement, within stipulated time as may be fixed by this Court.

3.The petitioners are the retired employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, the petitioners made representation to the respondents requesting to pay all the retirement benefits. But, the same have not been considered so far. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4.I have heard the learned counsel appearing for the petitioners and the learned counsel who take notice for the respondents.

5.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).

6.Following the said judgment, without going into the merits of the matter, the respondent is directed to disburse the aforementioned retiral benefits to the petitioner 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.

7.With the above direction, the present writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pri

To

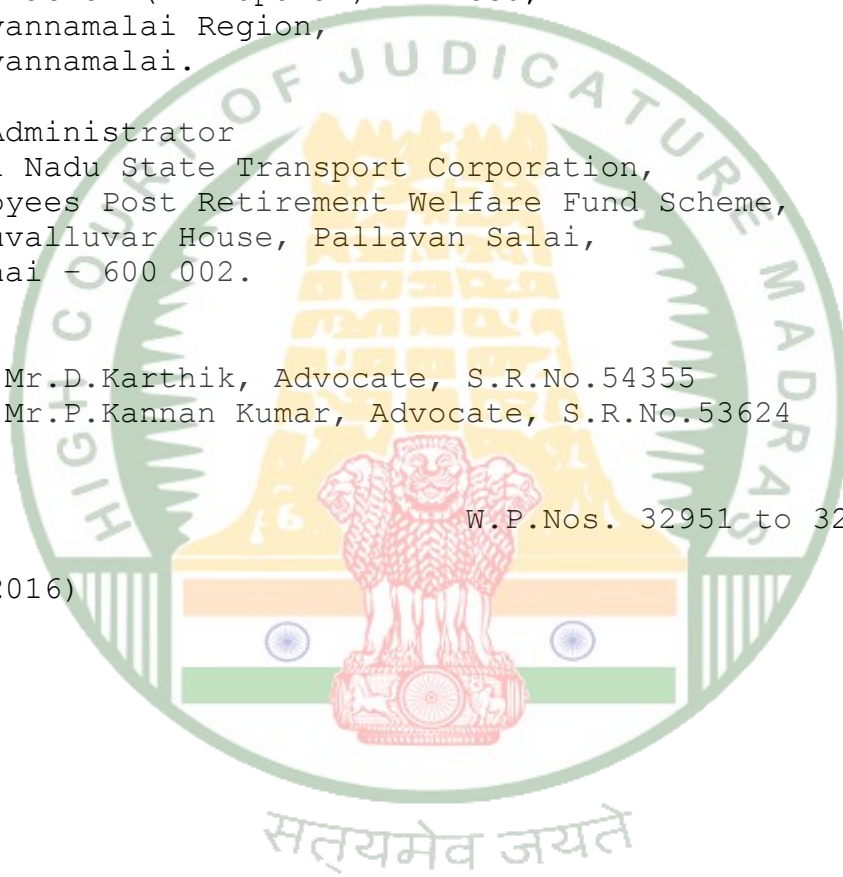
1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy,
Villupuram - 605 602.
2. The General Manager
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Tiruvannamalai Region,
Tiruvannamalai.
3. The Administrator
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002.

+5cc's to Mr.D.Karthik, Advocate, S.R.No.54355

+2cc's to Mr.P.Kannan Kumar, Advocate, S.R.No.53624

W.P.Nos. 32951 to 32955 of 2016

TRM(CO)
CA(04/10/2016)



WEB COPY