

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.33263 to 33265 of 2016

R.Hariraj ... Petitioner in W.P.No.33263/2016
K.Krishnan ... Petitioner in W.P.No.33264/2016
S.Palaniappan ... Petitioner in W.P.No.33265/2016

vs.

- 1.The Principal Secretary to Government
Transport Department,
Fort.St.George, Chennai - 600 009.
- 2.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd,
Pallavan Salai,
Chennai - 600 002. ... Respondents in
W.P.No.33263 of 2015

- 1.The Government of Tamil Nadu rep.by
Principal Secretary to Government,
Transport Department,
Fort.St.George,
Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd,
3/137 Salamedu, Valuthareddy Post,
Villupuram - 605 602. ... Respondents in
W.P.No.33264 of 2016

1. The Government of Tamil Nadu rep.by
Principal Secretary to Government,
Transport Department,
Fort.St.George,
Chennai - 600 009.
- 2.The Managing Director,
Tamil Nadu State Transport Corporation (VPM) Ltd,
3/137, Salamedu,
Valuthareddy - Post,
Villupuram - 605 602.

3.The Administrator,
The Tamil Nadu State Transport Corporation Pension Fund
Trust
Thiruvalluvar - House,
Pallavan Salai,
Chennai - 600 002.

..Respondents in
W.P.No.33265 of 2016

Writ petition No.33263 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd respondent to disburse the retirement benefits, viz., Earned Leave Surrender Salary amount of Rs.3,94,973/-, 1988 Settlement Leave Benefit of Rs.93,154/- and Leave on Private Affairs Rs.69,867/-, IRT Contribution amount of Rs.4,360/- the total comes to Rs.5,62,354/- (Rupees Five lakhs Sixty two thousand three hundred and fifty four only) with 18% interest on delayed payment to the petitioner the Superintendent staff No.A05011 who has retired from service on 30.06.2015.

Writ petition No.32803 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the second respondent to settle all eligible retirement benefits of the petitioner as sought for in his representation dated 9.9.2016 including interest thereto on such belated payment within a time to be stipulated by this Court.

Writ petition No.33264 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd respondent to disburse the retirement benefits of Gratuity of Rs.4,75,000/-, Earned Leave Surrender salary of Rs.2,20,000/- and 1998 settlement leave benefit amount of Rs.66,712/- total comes to Rs.7,61,712/- (Rupees seven lakhs sixty one thousand seven hundred and twelve only) with 18% interest on delayed payment to the petitioner Staff No.TR052 who has retired from service on 30.06.2013 as Selection Grade Tradesman in the 2nd respondent's office.

Writ petition No.33265 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 2nd and 3rd respondents to disburse the retirement benefits of Gratuity of Rs.10,00,000/- , Earned Leave Surrender of Rs.5,20,680/- Pension Commutation amount of Rs.4,12,355/- , Pension DA Arrears amount of Rs.740/- and IRT Contribution amount of Rs.4500/- totally comes to Rs.19,38,275/- (Rupees nineteen

lakhs thirty eight thousand two hundred and seventy five only) with 18% interest on delayed payment to the petitioner Staff No.AS0175 who has retired from service on 31.07.2016 as Senior Superintendent in the 2nd respondent's office.

For Petitioner :Mr.L.Chandrakumar,
in all the writ petitions

For Respondents:Mr.P.Kannan Kumar,
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(CS V)

//True Copy//

Sub Assistant Registrar

To

- 1.The Principal Secretary to Government
Transport Department,
Fort.St.George, Chennai - 600 009.
- 2.The Managing Director,
Metropolitan Transport Corporation (Chennai) Ltd,
Pallavan Salai,
Chennai - 600 002.
- 3.The Administrator,
The Tamil Nadu State Transport
Corporation Pension Fund Trust
Thiruvalluvar - House,
Pallavan Salai,
Chennai - 600 002.
- 4.The Managing Director,
Metropolitan Transport Corporation(Chennai) Ltd.,
Pallavan Salai,
Chennai-600 002.

+3cc to Mr.D.Veerasekaran, Advocate Sr.53765,53764,53763
+1cc to Mr.Government Pleader Sr.54216
+3cc to Mr.S.Sairaman, Advocate Sr.54867, 54866, 54865

W.P.Nos.33263 to
33265 of 2016

gmi[co]
srg 26/10/2016