

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.33303 and 33304 of 2016

T.Selvaraj

... Petitioner in
W.P.No.33303/2016

S.Paul Edwin

... Petitioner in
W.P.No.33304/2016

vs.

M/s. State Express Transport Corporation Ltd.,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002

... Respondent in both W.Ps

Writ petition No.33303 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle the terminal benefits of Gratuity amount of Rs.7,50,000/-, earned leave 145.5 days and Medical Leave 51.5 days surrender amount of Rs.2,33,649/-, Social Security Scheme amount of Rs.30,000/-, Erode Engineering College, Perundurai Medical College and Polytechnic refund amount of Rs.4,500/- and refund of recovery of provident fund amount during 5/2016 of Rs.5,000/- altogether a sum of Rs.10,23,149/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 12.09.2016.

Writ petition No.33304 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle the terminal benefits of earned leave 238.5 days and Medical leave 33.5 days surrender amount of Rs.2,99,200/-, Social Security Scheme amount of Rs.30,000/-, interest on provident fund for delayed payment of Rs.29,399/- and interest on gratuity for delayed payment amount of Rs.7,027/- altogether a sum of Rs.3,65,626/- with interest at the rate of 6% per annum taking into consideration of his representation dated 02.09.2016.

For Petitioner : Mr.D.Soundarraaj
in both the writ petitions

For Respondent : Mr.P.Kannankumar
in both 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 respondent is 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/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

tsi

To

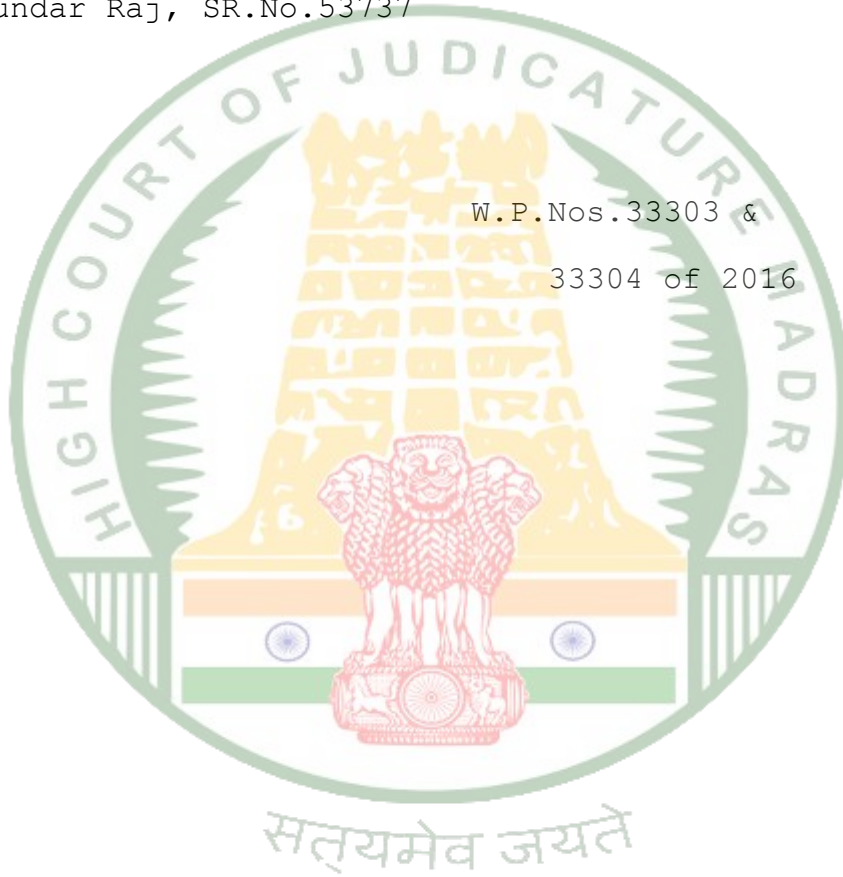
M/s. State Express Transport Corporation Ltd.,
Rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai - 600 002

+2 CC to Mr.P.Kannan Kumar, Advocate SR.No.54630

+1 CC to Mr.D.Soundar Raj, SR.No.53737

CO-AD

ths : 22.10.2016



W.P.Nos.33303 &
33304 of 2016

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