

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.33366 to 33378 of 2016

S.Annadurai

... Petitioner in W.P.No.33366/2016

Vs.

- 1 The Managing Director,
Tamil Nadu State Transport Corporation (Coimbatore) Limited,
No.37, Mettupalayam Road,
Coimbatore – 636 007.
- 2 The Administrator
Tamil Nadu State Transport Corporation Limited,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002. ... Respondents in W.P.No.33366/2016

Prayer in W.P.No.33366 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent herein consider and to dispose of the petitioner's representation dated 29.07.2016 thereby direct the 1st respondent to disburse the terminal benefits of the petitioner herein namely, Gratuity, Commutation, ERBS (Employees Retirement Benefit Scheme), Pension Arrears, Surrender Leave Salary i.e., Earn Leave Salary, D.A.(Dearness Allowance) Arrears and Pension D.A.(Dearness Allowance) Arrears with interest at

18% per annum with effect from 31.01.2014 in accordance with law within a time frame that may be fixed by this Hon'ble Court.

For Petitioners : Mr.J.Franklin
For Respondents : Mr.P.Kannan Kumar

C O M M O N O R D E R

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, with interest at 18% per annum with effect from the date of their retirement, in accordance with law, within a time frame that 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.

R.SUBBIAH,J.

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

23.09.2016

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Index: Yes/ No
Internet: Yes/ No

To

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Tamil Nadu State Transport Corporation Limited,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House,
Pallavan Salai,
Chennai – 600 002.

**W.P.Nos.33366 to
33378 of 2016**

23.09.2016