

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**DATED : 23.09.2016**

**CORAM**

**THE HONOURABLE MR.JUSTICE R.SUBBIAH**

**W.P.Nos.33422 to 33424 of 2016**

|              |                                     |
|--------------|-------------------------------------|
| M.Kandasamy  | ... Petitioner in W.P.No.33422/2016 |
| A.Periyasamy | ... Petitioner in W.P.No.33423/2016 |
| T.Anbalagan  | ... Petitioner in W.P.No.33424/2016 |

Vs.

|                                                                                                                                    |                                 |
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| The Managing Director,<br>Tamil Nadu State Transport<br>Corporation (Salem) Limited,<br>12, Ramakrishna Salai,<br>Salem – 636 007. | ... Respondent in all the W.Ps. |
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| 2.The Administrator,<br>Tamil Nadu State Transport<br>Corporation Employees Pension Trust,<br>Administrative Office,<br>Thiruvalluvar House,<br>Pallavan Salai,<br>Chennai – 600 002. | ... Respondent in W.P.No.33424/2016 |
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**Prayer in W.P.No.33422 of 2016:**

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pay the retirement benefits such as Gratuity, the benefits of Earned and Unearned Leave, medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

**Prayer in W.P.No.33423 of 2016:**

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pay the retirement benefits such as Gratuity, the benefits of Earned and Unearned Leave, old medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

**Prayer in W.P.No.33424 of 2016:**

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to pay the retirement benefits such as Provident Fund, Commutation, Gratuity, Labour Welfare Fund, IRT share, the benefits of Earned and Unearned Leave, Medical Leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

For Petitioners : Mr.A.Nagarathinam  
For Respondents : Mr.R.K.Gandhi

**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 the rate of 12% from the date of retirement.

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 respondent 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.

23.09.2016

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Index: Yes/ No

Internet: Yes/ No

To

1.The Managing Director,  
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Corporation (Salem) Limited,  
12, Ramakrishna Salai,  
Salem – 636 007. ... Respondent in all the W.Ps.

2.The Administrator,  
Tamil Nadu State Transport  
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Administrative Office,  
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Chennai – 600 002.

**R.SUBBIAH,J.**

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