

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.33579 to 33588 of 2016

(*) **A.Paramasivam** Petitioner in WP.No.33579/2016
K. Singaravelu Petitioner in WP.No.33580/2016
K. Siddan Petitioner in WP.No.33581/2016
M. Shanmugam Petitioner in WP.No.33582/2016
P. Nagarajan Petitioner in WP.No.33583/2016
K. Balakrishnan Petitioner in WP.No.33584/2016
C. Periyasamy Petitioner in WP.No.33585/2016
C. Shanmuga Sundaram Petitioner in WP.No.33586/2016
A. Irudhayaraj Petitioner in WP.No.33587/2016
C. Kaliyaperumal Petitioner in WP.No.33588/2016

vs.

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Limited,
No.37, Mettupalayam Salai,
Coimbatore-43. .. R1 in Wp.Nos.33579 to 33586/2016
& 33588/2016
- 2.The Administrator,
Tamil Nadu State Transport
Corporation Limited,
Employees Post Retirement Welfare
Fund Scheme,

Thiruvalluvar House,
Pallavan Salai, Chennai-2. Respondents in all WPS

Writ petition No.33579, 33580 of 2016 have been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the 1st Respondent herein to consider and to dispose of the petitioners representation dated 29.7.2016, 29.7.2016, 30.07.2016, 29.07.2016, 29.07.2016, 03.09.2016, 29.07.2016, 20.06.2016 and 30.07.2016 respectively 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 1.8.2013, 01.06.2015, 01.10.2014, 01.06.2015, 01.07.2015, 01.02.2015, 01.06.2016, 01.05.2013, 01.03.2016 and 01.01.2014 respectively in accordance with law with in a time frame that may be fixed by this Court. (in all Wps)

For Petitioner : Mr.C.Veeramali,
in all the writ petitions

For Respondents : Mr.S.Sairaman,
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/-
Asst. Registrar.

(*)Corrected order to be issued
sd/
sub Asst. Registrar(CO)
DATED: 23.11.2016

/true copy/

Sub Asst. Registrar.

sbi

To

- 1.The Managing Director,
Tamil Nadu State Transport
Corporation (Coimbatore) Limited,
No.37, Mettupalayam Salai,
Coimbatore-43.
- 2.The Administrator,
Tamil Nadu State Transport
Corporation Limited,
Employees Post Retirement Welfare
Fund Scheme, Thiruvalluvar House,
Pallavan Salai, Chennai-2.

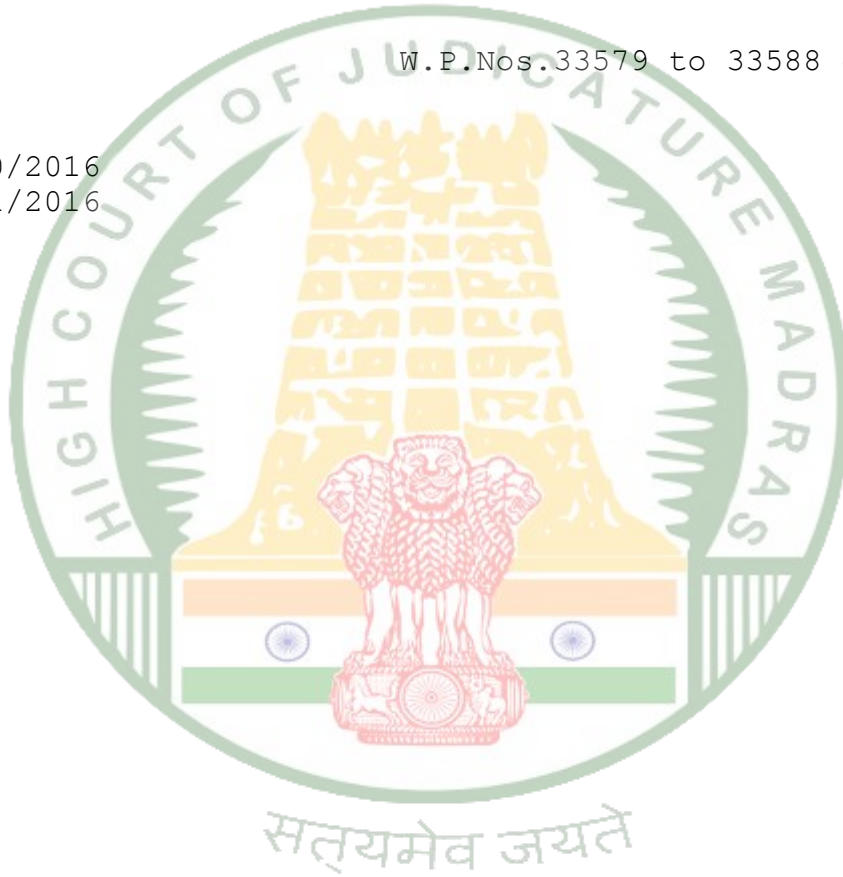
To be
Substituted to
the under
already
dispatch on
4.10.2016

3 The Managing Director
Tamil Nadu State Transport Corporation
Salem Ltd,
RCO 12 Ramakrishna Road,
Salem 636 007

+10 CC to Mr. C. Veeramala, Advocate
Sr.No.54525,54524,54526,54527,54528,54529,54530,54531,54532,54533
(05/10/2016)
+1 CC to Mr. S. Sairaman, Advocate, Sr.No.54877

W.P.Nos.33579 to 33588 of 2016

CTK (CO)
MD : 03/10/2016
MD : 28/11/2016



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