

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.33595 to 33603 of 2016

M.Anbazhagan ... Petitioner in WP.33595 of 2016
K.Radhakrishnan ... Petitioner in WP.33596 of 2016
M.Nagarajan ... Petitioner in WP.33597 of 2016
N.Venkatesan ... Petitioner in WP.33598 of 2016
C.Murthi ... Petitioner in WP.33599 of 2016
P.Krishnamoorthy ... Petitioner in WP.33600 of 2016
S.Veeraraghavan ... Petitioner in WP.33601 of 2016
M.Mohan ... Petitioner in WP.33602 of 2016
V.Babu ... Petitioner in WP.33603 of 2016

Vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy, Villupuram-605 602. ... R1 in all WPs

The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Thiruvannamalai Region,
Thiruvannamalai. ... R2 in WPs.33595 to 33599 of 2016

The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vellore Region, Vellore. ... R2 in WPs.33600 to 33603 of 2016

The Administrator,
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare
Fund Scheme,
Thiruvalluvar House,
Pallavan Salai, Chennai-2. ... R3 in WPs.33595 to 33600,
33602 & 33603 of 2016

Writ Petitions has been filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus,

W.P.Nos.33595 & 33597 of 2016 : Directing the respondents to disburse the payments relating to Gratuity, pension commutation, leave encashment (earned and old medical leave), 15 days leave surrender for the year 2016, CRBS pension amount, DA arrear amount, Labour Welfare Fund, last 10 days salary and IRT amount by calculating DA eligible as per newly implemented scheme with interest at 12% per annum with effect from 1.7.2016 within the stipulated time as may be fixed by this Court respectively.

W.P.Nos.33596, 33598 & 33599 of 2016 : Directing the Respondents to disburse the payment relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), 15 days Leave Surrender for the years 2013-2014, CRBS Pension Amount, DA Arrear Amount, (2013) 5.5 Settlement arrear, 5.5 Pension Arrear, Last 10 days salary by calculating DA eligible as per newly implemented scheme, with interest at 12% p.a. with effect from 01.04.2014, 01.02.2014, 01.02.2014 respectively within stipulated time as may be fixed by this Hon'ble Court.

W.P.Nos.33600 of 2016 : Directing the Respondents to disburse the payment relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), 2 months Pension Amount VRS Amount, IRT amount, CRBS Pension Amount, DA Arrear Amount Last 10 days salary by calculating DA eligible as per newly implemented scheme, with interest at 12% p.a. with effect from 01.05.2016 within stipulated time as may be fixed by this Hon'ble Court.

W.P.No.33601 of 2016 : Directing the Respondents to disburse the payment relating to Gratuity, Leave Encashment (Earned & Old Medical Leave), Last 10 days salary and DA Arrear Amount, by calculating DA eligible as per newly implemented scheme with interest at 12% p.a., with effect from 01.08.2013 within stipulated time as may be fixed by this Hon'ble Court.

W.P.No.33602 of 2016 : Directing the Respondents to disburse the payment relating to Gratuity, Pension Commutation, IRT Amount Social Welfare Amount, CRBS Pension Amount, DA Arrear Amount Last 10 days salary by calculating DA eligible as per newly implemented scheme, with interest at 12% p.a., with effect from 01.07.2016 within stipulated time as may be fixed by this Hon'ble Court.

W.P.No.33603 of 2016 : Directing the Respondents to disburse the payment relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), 15 days Leave surrender

for the year 2014-2015, IRT Amount, Social Welfare Amount Rs.8400/- balance amount, CRBS Pension Amount, DA Arrear Amount Last 10 days salary by calculating DA eligible as per newly implemented scheme, with interest at 12% p.a. with effect from 01.06.2016 within stipulated time as may be fixed by this Hon'ble Court.

For Petitioner : Mr.D.Karthik,
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

sbi

To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Vazhuthareddy, Villupuram-605 602.
2. The General Manager,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Thiruvannamalai Region,
Thiruvannamalai.
3. The Administrator,
Tamil Nadu State Transport
Corporation
Employees Post Retirement Welfare
Fund Scheme,
Thiruvalluvar House,
Pallavan Salai, Chennai-2.
4. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited,
Vellore Region, Vellore.

+9cc's to Mr.D.Karthik, Advocate, S.R.No.54744
+2cc's to Mr.P.Kannan Kumar, Advocate, S.R.No.54979

W.P.Nos.33595 to 33603 of 2016

VD(CO)
CA(18/10/2016)