

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.33636 and 33637 of 2016

K.Rajendran

... Petitioner in
W.P.No.33636 of 2016

A.Mani

.... Petitioner in
W.P.No.33637 of 2016

vs.

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,
Tiruvannamalai Region,
Tiruvannamalai.

... Respondents 1 & 2 and
in both the WPs.

3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002

... 3rd Respondents in
W.P.No.33637 of 2016

Prayer in W.P.No.33636 of 2016:Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned Leave & Old Medical Leave), ERBS Pension Arrears for 22 months, Last month 10 days salary, D.A.Arrears and all other retirement benefits amount by calculating D.A.Eligible as per the fixation made by the Government of Tamil Nadu periodically along with the entitled difference of dearness allowances also, with interest at 12% per annum with effect from 01.07.2013 within the stipulated time as may be fixed by this Court.

Prayer in W.P.No.33637 of 2016:Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, pension, commutation, Leave Encashment (Earned Leave & Medical Leave), 12(3) Settlement arrears, D.A.arrears, pension arrear and CRBS Pension by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2014 within stipulated time.

For Petitioner :Mr.D.Karthik,
in both the WPs.

For Respondents :Mr.R.Kannan Kumar

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 II)

//True Copy//

Sub Assistant Registrar

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,
Tiruvannamalai Region,
Tiruvannamalai.
- 3.The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai-600 002.

+1cc to Mr.D.Karthik, Advocate Sr.54746

सत्यमेव जयते

W.P.Nos.33636 & 33637 of 2016

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srg 07/10/2016

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