

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.09.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.33844 to 33847 of 2016

G.Ramalingam, Staff No.DR1091

... Petitioner in W.P.No.33844/2016

R.Boopathy, Staff No.CR1420

... Petitioner in W.P.No.33845/2016

D.Mahalingam, Staff No.CR1619

... Petitioner in W.P.No.33846/2016

C.Pandian, Staff No.DR1981

... Petitioner in W.P.No.33847/2016

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,
Cuddalore Region,
Cuddalore. ... Respondents in all W.Ps.

3 The Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai – 600 002. ... Respondent in
W.P.Nos.33845 to 33847/2016

Prayer in W.P.No.33844 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity and Settlement arrears etc., with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 31.03.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Hon'ble Court.

Prayer in W.P.No.33845 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, EL Surrender and settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement ie. 31.7.2014 to till date of actual payment to the petitioner within the time that may be stipulated by this Hon'ble Court.

Prayer in W.P.No.33846 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, EL

Surrender, settlement arrears and DA arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement ie. 31.7.2014 to till date of actual payment to the petitioner within the time that may be stipulated by this Hon'ble Court.

Prayer in W.P.No.33847 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, EL Surrender and settlement arrears etc. with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement ie. 31.1.2016 to till date of actual payment to the petitioner within the time that may be stipulated by this Hon'ble Court.

For Petitioners : Mr.M.Selvam
For Respondents : Mr.S.Sairaman

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, within the time that may be stipulated 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.

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

27.09.2016

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Index: Yes/ No

Internet: Yes/ No

R.SUBBIAH,J.

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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,
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