

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.34525 to 34534 of 2016

C.Marimuthu	... Petitioner in W.P.No.34525 of 2016
M.Muthukrishnan	... Petitioner in W.P.No.34526 of 2016
P.Arumugam	... Petitioner in W.P.No.34527 of 2016
P.Arunachalam	... Petitioner in W.P.No.34528 of 2016
S.Kasumanickam	... Petitioner in W.P.No.34529 of 2016
A.Kandasamy	... Petitioner in W.P.No.34530 of 2016
M.Elangovan	... Petitioner in W.P.No.34531 of 2016
P.Veeran	... Petitioner in W.P.No.34532 of 2016
P.Arumugam	... Petitioner in W.P.No.34533 of 2016
C.Radha	... Petitioner in W.P.No.34534 of 2016

vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Salai,
Salem-7. Respondent in W.P.No.34525, 34526
of 2016 & W.P.No.34528 to
34534 of 2016

The Managing Director,
TamilNadu State Transport Corporation,
(Covai) Ltd.,
Coimbatore-641 043.Respondent in W.P.No.34527 of 2016

W.P.No.34525 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Provident Fund Gratuity Earned Leave Salary Commutation and other benefits payable to the Petitioner with interest at the rate of 18% from 01.07.2016.

W.P.No.34526 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Gratuity

Earned Leave Salary Commutation Family Welfare Labour Fund and other benefits payable to the Petitioner with interest at the rate of 18% from 01.05.2013.

W.P.No.34527 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Provident Fund Gratuity Earned Leave Salary Commutation and other benefits payable to the Petitioner with interest at the rate of 18% from 01.04.2016.

W.P.No.34528 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Gratuity Earned Leave Salary Commutation Family Welfare Labour Fund and other benefits payable to the Petitioner with interest at the rate of 18% from 01.06.2012.

W.P.No.34529 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Gratuity Earned Leave Salary Commutation Family Welfare Labour Fund and other benefits payable to the Petitioner with interest at the rate of 18% from 01.06.2015.

W.P.No.34530 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Gratuity Earned Leave Salary Commutation Family Welfare Labour Fund and other benefits payable to the Petitioner with interest at the rate of 18% from 01.03.2014.

W.P.No.34531 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Provident Fund Gratuity Earned Leave Salary Commutation and other benefits payable to the Petitioner with interest at the rate of 18% from 01.06.2016.

W.P.No.34532 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Provident Fund Gratuity Earned Leave Salary Commutation and other benefits payable to the Petitioner with interest at the rate of 18% from 01.05.2016.

W.P.No.34533 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay the retirement benefits such as Gratuity Earned Leave Salary Commutation Family Welfare Labour Fund and other benefits payable to the Petitioner with interest at the rate of 18% from 01.05.2015.

W.P.No.34534 of 2016:

Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the Respondent to pay all the benefits such as Gratuity Earned Leave Salary Commutation and other benefits payable to the Petitioner husband late R.Chinnaiyan with interest at the rate of 18% from 01.05.2014 and also the Family Pension from 23.04.2016 to till date.

For Petitioner : Mr.T.Jeevanantham
in all the writ petitions

For Respondent : Mr.R.K.Gandhi,
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 respondent.

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 respondent is 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 VII)

//True Copy//

Sub Assistant Registrar

To

1.The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Salai,
Salem-7.

2.The Managing Director,
TamilNadu State Transport Corporation,
(Covai) Ltd., Coimbatore 641 043.

+1cc to M/S.T.Jeevanantham, Advocate Sr.56554

W.P.Nos.34525 to
34534 of 2016

cnr[co]
srg 15/11/2016