

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.34561 to 34567 of 2016

W.P.No.34561 of 2016:

K.Prabhakaran ... Petitioner in WP.No.34561/2016
Mr. K. Palanisamy ... Petitioner in WP.No.34562/2016
Mr.M. Sithaiyan ... Petitioner in WP.No.34563/2016
Mr. R. Chokkappan ... Petitioner in WP.No.34564/2016
MR. A. Neelamegam ... Petitioner in WP.No.34565/2016
MR. S. Subramanian ... Petitioner in WP.No.34566/2016
Mr. S. Kandasamy ... Petitioner in WP.No.34567/2016

vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
No.12, Ramakrishna Road,
Salem-7. Respondent in WP Nos.34561
to 34565/2016

The Managing Director
Tamil Nadu State Transport Corporation
Covai) Ltd.,
Coimbatore 641 043 ... Respondent in WP.No.34566/2016
& 34567/2016

Writ petition No.34561 and 34562 of 2016 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 1.8.2013 (i.e.) and 1.4.2013 respectively the date of retirement.

to issue a Writ or an order or direction in the nature of writ, particularly a writ of 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 1.3.2013 (i.e.) the date of retirement.

WP.No.34564/2016 filed under Article 226 of Constitution of India praying to issue a writ or an order or direction in the nature of writ, particularly a Writ of Mandamus Directing the respondent to pay the retirement benefits such as Earned Leave Salary Leave Surrender and other benefits payable to the petitioner with interest at the rate of 18% from 1.7.2011 (i.e.) the date of retirement.

WP.No.34565/2016 Directing the respondent to pay the retirement benefits such as Provident Fund IRT Share Leave Surrender Commutation Earned Leave Family Welfare Fund and other benefits payable to the petitioner with interest at the rate of 18% from 1.4.2011 (i.e.) the date of voluntary retirement and monthly pension from 1.4.2011 to till date with interest

WP.34566 and 34567/2016 to issue a writ or an order or direction in the nature of writ particularly 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 1.6.2016 (i.e.) the date of retirement.

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/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

sbi

To

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

2 The Managing Director
Tamil Nadu State Transport Corporation (Covai) Ltd
Coimbatore 641 043

W.P.Nos.34561 to 34567 of 2016

VSN (CO)
MD : 22/10/2016



WEB COPY