

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.09.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.34606 to 34609 of 2016

P.Annamalai ... Petitioner in
W.P.No.34606/2016

C.Sundaresan ... Petitioner in
W.P.No.34607/2016

M.Sigamani ... Petitioner in
W.P.No.34608/2016

G.Selvam ... Petitioner in
W.P.No.34609/2016

vs.

- 1 Tamil Nadu State Transport Corporation (Salem) Ltd. Rep by its Managing Director 12 Ramakrishna Road Salem 636 007
- 2 The General Manager Tamil Nadu State Transport Corporation (Salem) Ltd. Dharmapuri Region Tirupathur Depot Tirupathur ..2nd Respondent in WP.34606/16
- 2 The General Manager Tamil Nadu State Transport Corporation (Salem) Ltd. Dharmapuri Region Krishnagiri Nagar Depot Krishnagiri ..2nd Respondent in WP.34607/16
- 2 The General Manager Tamil Nadu State Transport Corporation (Salem) Ltd. Dharmapuri Region Krishnagiri Mofussil Depot Krishnagiri..2nd Respondent in WP.34608/16
- 2 The General Manager Tamil Nadu State Transport Corporation (Salem) Ltd. Dharmapuri Region Krishnagiri Mofussil Depot Krishnagiri..2nd Respondent in WP.34609/16

3 Tamil Nadu State Transport
Corporations Employees Pension Fund Trust
Rep by its Administrator Thiruvalluvar
Illam Anna Salai Chennai 2 ...1&3 Respondents in all the
writ petitions.

Writ petition No.34606 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay and settle all the retirement benefits due to the petitioner including gratuity, leave salary, commuted value of pension, provident fund, IRD share amount, dearness allowance, bonus, retirement period of welfare fund and all other retirement benefits and arrears of revised salary in full together with interest at the rate of 12% per annum from the date when the payment became due till the date of payment to the petitioner within a specified time limit as may be fixed by this Court, award costs.

Writ petition No.34607 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay and settle all the retirement benefits due to the petitioner including gratuity, leave salary, commuted value of pension, provident fund, IRD share amount, dearness allowance, bonus, retirement period of welfare fund and all other retirement benefits and arrears of revised salary in full together with interest at the rate of 12% per annum from the date when the payment became due till the date of payment to the petitioner within a specified time limit as may be fixed by this Court, award costs.

Writ petition No.34608 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay and settle all the retirement benefits due to the petitioner including gratuity, leave salary, commuted value of pension, provident fund, IRD share amount, dearness allowance, bonus, retirement period of welfare fund and all other retirement benefits and arrears of revised salary in full together with interest at the rate of 12% per annum from the date when the payment became due till the date of payment to the petitioner within a specified time limit as may be fixed by this Court, award costs.

***Writ petition No.34609 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay and settle all the retirement benefits due to the petitioner including leave salary commuted value of pension provident fund IRD share amount Dearness allowance, Bonus, retirement period of**

welfare fund and all other retirement benefit except Gratuity and arrears of revised salary in full together with interest at the rate of 12% per annum from the date when the payment became due till the date of payment to the petitioner within a specified time limit.

For Petitioner : Mr.S.P.Parvadhraj Arumugam,
in all the writ petitions

For Respondents : 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 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/-
Asst.Registrar (CO)
Dated:18/10/2016

*Corrected order
to go SAR
Sd/-
Sub Assistant Registrar
Dated:23/12/2016

/true copy/

Sub Asst. Registrar

To

- 1 The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Ltd.
12 Ramakrishna Road
Salem 636 007 To be substituted the order
already despatched on
10/11/2016
- 2 The General Manager
Tamil Nadu State Transport
Corporation
(Salem) Ltd. Dharmapuri
Region Tirupathur
Depot Tirupathur
- 3 The Administrator,
Tamil Nadu State Transport
Corporations Employees
Pension Fund Trust
Thiruvalluvar
Illam Anna Salai Chennai 2
- 4 The General Manager
Tamil Nadu State Transport
Corporation
(Salem) Ltd. Dharmapuri
Region Krishnagiri
Nagar Depot Krishnagiri .

5 The General Manager
Tamil Nadu State Transport
Corporation
(Salem) Ltd. Dharmapuri
Region Krishnagiri
Mofussil Depot Krishnagiri.

6 The General Manager
Tamil Nadu State
Transport Corporation
(Salem) Ltd. Dharmapuri
Region Krishnagiri
Mofussil Depot Krishnagiri.

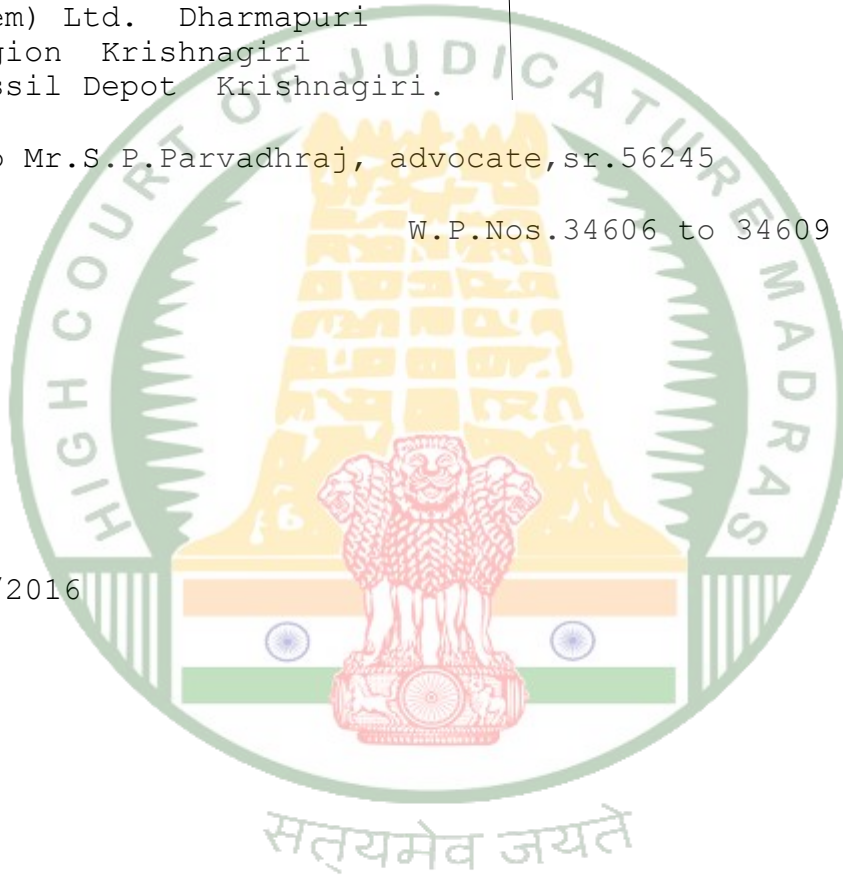
+5 cc's to Mr.S.P.Parvadhraj, advocate,sr.56245

W.P.Nos.34606 to 34609 of 2016

svi(co)

krd 24/10

srg 03/01/2016



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