

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.09.2016
CORAM
THE HONOURABLE MR. JUSTICE R.SUBBIAH
Writ Petition Nos.34643 to 34646 of 2016

N.Durairaj ... Petitioner in
W.P.No.34643/2016

M.Elumalai ... Petitioner in
W.P.No.34644/2016

V.Vedhandham ... Petitioner in
W.P.No.34645/2016

S.Balu ... Petitioner in
W.P.No.34646/2016

vs.

1 Tamil Nadu State Transport
Corporation (Villupuram) Ltd. Rep by its
Managing Director 3/37 Salamedu
Vazhuthareddy Post Villupuram 605 602

2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Cuddalore Region
Cuddalore

3 The Administrator
Tamil Nadu State Transport Corporations
Employees Pension Fund Trust Thiruvalluvar
Illam Pallavan Salai Chennai 2.

... Respondents in
W.P.Nos.34643 to
34645 / 2016

1 Tamil Nadu State Transport
Corporation (Villupuram) Ltd. Rep by its
Managing Director 3/37 Salamedu
Vazhuthareddy Post Villupuram 605 602

2 The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd. Cuddalore Region
Cuddalore

... Respondents in
W.P.No.34646/2016

Writ petition No.34643 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay the petitioner a sum of Rs. 5,19,287/- towards gratuity, a sum of Rs.23,625/- towards earned leave salary for 21 days, a sum of Rs.5,306/- towards arrears of difference in D.A., a sum of Rs. 14,955/- towards arrears of difference in wages for the period from 1.9.2013 to 30.4.2015, a sum of Rs.36,975/- towards difference in pension for 3 months together with interest at the rate of 12% per annum for all the above benefits and award costs.

Writ petition No.34644 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay the petitioner a sum of Rs. 5,88,889/- towards gratuity, a sum of Rs.2,59,154/- towards earned leave salary for 214 days, a sum of Rs.6,231/- towards arrears of difference in D.A., a sum of Rs.9,000/- towards arrears of difference in wages for the period from 1.9.2013 to 30.4.2015 a sum of Rs.43 359/- towards difference in pension for 3 months together with interest at the rate of 12% per annum for all the above benefits award costs.

Writ petition No.34645 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay the petitioner a sum of Rs.8,08,156/- towards gratuity, a sum of Rs.1,71,875/- towards earned leave salary for 125 days, a sum of Rs.14,656/- towards arrears of difference in D.A. and a sum of Rs. 67,920/- towards difference in pension for 4 months together with interest at the rate of 12% per annum for all the above benefits award costs.

Writ petition No.34646 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to pay the petitioner a sum of Rs. 3,69,126/- towards gratuity and a sum of Rs.3,980/- towards arrears of difference in dearness allowance together with interest at the rate of 12% per annum for all the above benefits award costs.

For Petitioner : Mr.R.Krishnamurthy
in all the writ petitions

For Respondents : Mr.P.Kannan Kumar
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.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1 Tamil Nadu State Transport Corporation (Villupuram) Ltd. Rep by its Managing Director 3/37 Salamedu Vazhuthareddy Post Villupuram 605 602
- 2 The General Manager Tamil Nadu State Transport Corporation (Villupuram) Ltd. Cuddalore Region Cuddalore
- 3 The Administrator Tamil Nadu State Transport Corporations Employees Pension Fund Trust Thiruvalluvar Illam Pallavan Salai Chennai 2.

+4 ccs to Mr.V.Ajoy Khose Advocate sr 56369
+2 ccs to Mr.P.Kannan kumar Advocate sr 57115

W.P.Nos.34643 to
34646 of 2016

lrs(co)
aa01/11/2016



WEB COPY