

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.34752 to 34765 of 2016

C.Panneer Selvam	... Petitioner in WP.34752 of 2016
K.Govindaraju	... Petitioner in WP.34753 of 2016
S.Ponnusamy	... Petitioner in WP.34754 of 2016
V.Govindan	... Petitioner in WP.34755 of 2016
M.Pachamuthu	... Petitioner in WP.34756 of 2016
K.Jaganathan	... Petitioner in WP.34757 of 2016
K.Sekar	... Petitioner in WP.34758 of 2016
P.Periasamy	... Petitioner in WP.34759 of 2016
G.Manickam	... Petitioner in WP.34760 of 2016
A.Kulandaivel	... Petitioner in WP.34761 of 2016
S.Palanisamy	... Petitioner in WP.34762 of 2016
P.Mani	... Petitioner in WP.34763 of 2016
P.Kumarasamy	... Petitioner in WP.34764 of 2016
M.Krishnamoorthy	... Petitioner in WP.34765 of 2016

Vs.

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem-636 007.
 2. The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem-636 007.
 3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvallurvar House, Pallavan Salai,
Chennai-2.
- ... Respondents in all WPs

Writ Petitions filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus,

W.P.No.34752 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Institute of Road and Transport Technology (IRTT) Fund and f. Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame fixed by this Honourable Court.

W.P.No.34753 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Provident Fund, f. Institute of Road and Transport Technology (IRTT) Fund, g. Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34754 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Institute of Road and Transport Technology (IRTT) Fund and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34755 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Institute of Road and Transport Technology (IRTT) Fund and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34756 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Provident Fund, e. Institute of Road and Transport Technology (IRTT) Fund, f. Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34757 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Provident Fund, e. Institute of Road and Transport Technology (IRTT) Fund, f. Employees Retirement Benefit

Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34758 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Institute of Road and Transport Technology (IRTT) Fund, f. Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34759 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Institute of Road and Transport Technology (IRTT) Fund and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34760 of 2016 : Directing the respondents to settle payment of a. Gratuity Amount, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Institute of Road and Transport Technology (IRTT) Fund, f. Pension arrears from 1.1.2014 to 30.11.2014 and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34761 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Institute of Road and Transport Technology (IRTT) Fund and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34762 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Provident fund, f. Institute of Road and Transport Technology (IRTT) Fund, g. Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34763 of 2016 : Directing the respondents to settle payment of a. Gratuity Amount, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e.

Provident Fund, f. Institute of Road and Transport Technology (IRTT) Fund, g. Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34764 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Provident Fund, e. Institute of Road and Transport Technology (IRTT) Fund, f. Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

W.P.No.34765 of 2016 : Directing the respondents to settle the a. Payment of Gratuity, b. Earned Leave, c. Medical Leave & Old Medical Leave, d. Payment of Commuted Value of Pension, e. Provident Fund, f. Employees Retirement Benefit Scheme (ERBS) and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame that may be stipulated by this Honourable court.

For Petitioner : Mr.N.Sudhagar Nagaraj
in all the Writ Petitions

For Respondents : Mr.P.Paramasiva Doss
in all the Writ Petitions

C O M M O N O R D E R

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 01.01.2017.

6. With the above direction, all the writ petitions are disposed of. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem-636 007.

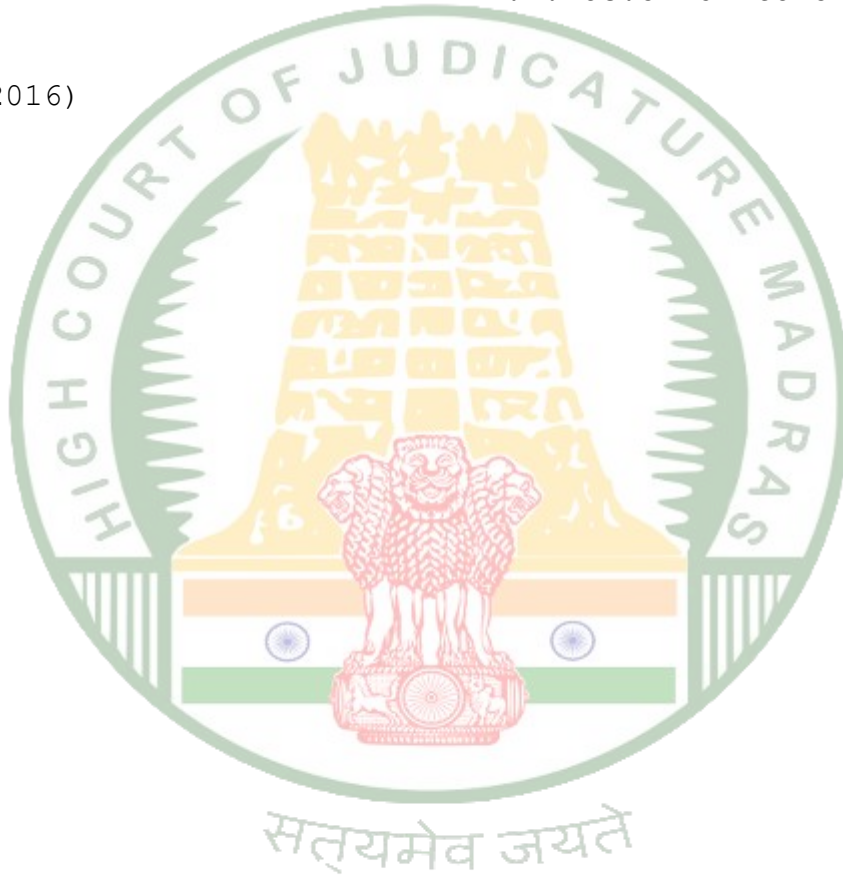
2. The General Manager,
Tamil Nadu State Transport
Corporation (Salem) Limited,
Salem Division,
No.12, Ramakrishna Road,
Post Box No.713,
Salem-636 007.

3. The Administrator,
Tamil Nadu State Transport Corporation
Employees Pension Fund Trust,
Thiruvallurvar House, Pallavan Salai,
Chennai-2.

+1cc to Mr.P.Paramasiva Doss, Advocate, S.R.No.57312
+14cc's to Mr.N.Sudhagar Nagaraj, Advocate, S.R.No.57016

W.P.Nos.34752 to 34765 of 2016

SM(CO)
CA(19/10/2016)



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