

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.34961 and 34962 of 2016

W.P.No.34961 of 2016 :

N.Santhi

... Petitioner

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

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle a.] Payment of Gratuity, b.] Earned Leave, c.] Medical Leave & Old Medical Leave, d.] Payment of Commuted Value of Pension, e. Arrears of Family Pension and f. arrears of Dearness Allowance and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame fixed by this Court.

W.P.No.34962 of 2016 :

K.Sumathi

... Petitioner

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,
Thiruvalluvar House, Pallavan Salai,
Chennai-2.

... Respondents

Writ Petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to settle a.] Payment of Gratuity, b.] Earned Leave, c.] Medical Leave & Old Medical Leave, d.] Payment of Commuted Value of Pension, e.] Arrears of Family Pension and f.] Provident Fund g.] Institute of Road and Transport Technology (IRTT) Fund, h.] Employees Retirement Benefit Scheme (ERBS) and i.] arrears of Dearness Allowance and other retiral benefits payable to the petitioner with reasonable rate of interest within the time frame fixed by this Court.

For Petitioner : Mr.N.Sudhagar Nagaraj
in both the writ petitions

For Respondent : Mr.R.K.Gandhi
in both 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 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 V)

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

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.

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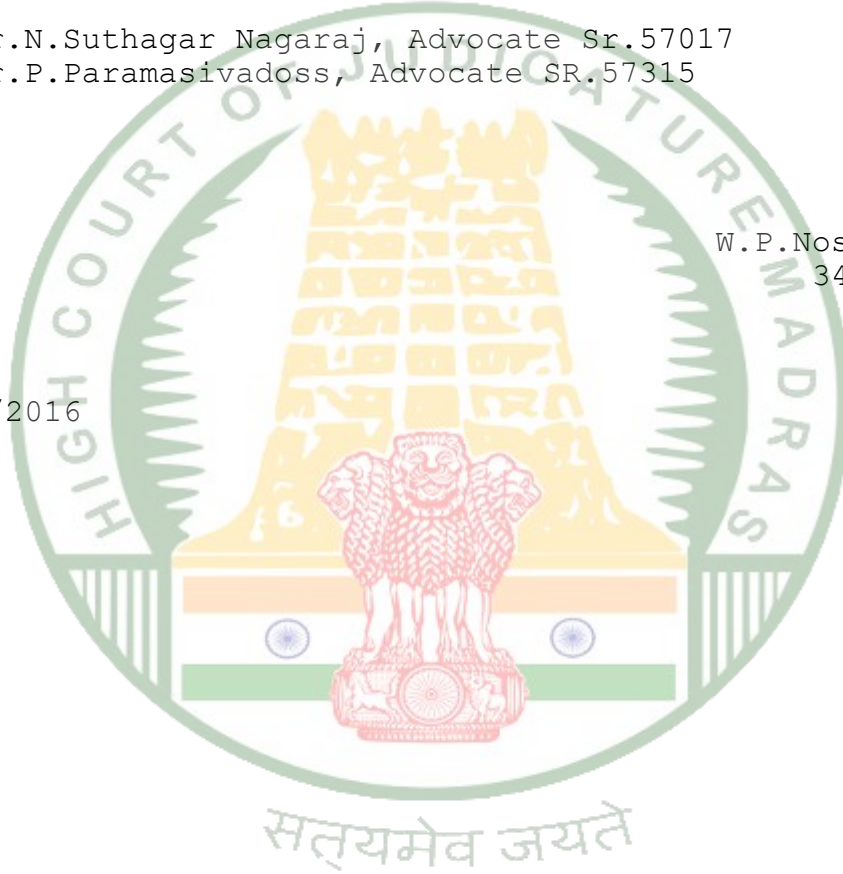
2. The General Manager,
Tamil Nadu State Transport Corporation
(Salem) Limited,
Dharmapuri Region, Dharmapuri.

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

+2cc to Mr.N.Suthagar Nagaraj, Advocate Sr.57017
+1cc to Mr.P.Paramasivadoss, Advocate SR.57315

W.P.Nos.34961 and
34962 of 2016

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srg 08/11/2016



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