

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.35222 to 35225 of 2016

J.Varadhan ... Petitioner in W.P.No.35222/2016
E.Subramaniam ... Petitioner in W.P.No.35223/2016
R.Manoharan ... Petitioner in W.P.No.35224/2016
S.A.Venugopal ... Petitioner in W.P.No.35225/2016

Vs.

- 1 The Government of Tamilnadu
Rep by its Principal Secretary
Transport Department
Secretariat, Fort St. George
Chennai-600 009.
- 2 The Managing Director
Tamil Nadu State Transport Corporation (VPM) Ltd
3/137, Salamedu
Valuthareddy Post
Villupuram- 605 602.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai-600 002.

... Respondents in W.P.No.35222
to 35224/2016

- 1 The Government of Tamilnadu
Rep by its Principal Secretary
Transport Department
Secretariat, Fort St. George
Chennai-600 009.
- 2 The Managing Director
Tamil Nadu State Transport Corporation (CBE) Ltd
Head Office, No.37, Mettupalayam Road
Coimbatore 641 043

3 The Administrator
Tamil Nadu State Transport Corporation
Pension Fund Trust
Thiruvalluvar House
Pallavan Salai
Chennai-600 002.

... Respondents in
W.P.No.35225/2016

Prayer in W.P.No.35222/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to settle the petitioner retirement benefits after to extend the benefits of pay revision in terms of settlement with enhanced Dearness Allowance and to pay all the retirement benefits payable to the petitioner including the Gratuity, Commutation of pension, Leave Encashment (EL), Pension arrears, pension DA Arrears, PF Arrears, Settlement arrears, DA Arrears with interest of 18% on delayed payment to the petitioner from 31.07.2014 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A. (MD) Nos. 383 to 457 of 2015 dated 12.06.2015.

Prayer in W.P.No.35223/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to settle the petitioner retirement benefits after to extend the benefits of pay revision in terms of settlement with enhanced dearness allowance and to pay all the retirement benefits payable to the petitioner including the Gratuity, Commutation of pension, Leave Encashment (EL), Pension arrears, pension DA Arrears, PF Arrears, Settlement arrears, DA Arrears with interest of 18% on delayed payment to the petitioner from 31.07.2014 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A. (MD) Nos. 383 to 457 of 2015 dated 12.06.2015.

Prayer in W.P.No.35224/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to settle the petitioner retirement benefits after to extend the benefits of pay revision in terms of settlement with enhanced dearness allowance and to pay all the retirement benefits payable to the petitioner including the Gratuity, Commutation of pension, Leave Encashment (EL), Pension arrears, pension DA Arrears, PF

Arrears, Settlement arrears, DA Arrears with interest of 18% on delayed payment to the petitioner from 31.12.2013 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A. (MD) Nos. 383 to 457 of 2015 dated 12.06.2015.

Prayer in W.P.No.35225/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to settle the retirement benefits payable to the petitioner namely, Provident Fund Gratuity Arrears, Encashment of leave salary (EL), Encashment of Leave salary (ML-98), DA Arrears, pension Arrears, after extending the benefits of the settlement and after duly taken into account the enhanced dearness allowance and other eligible terminal benefits with interest of 18% on delayed payment to the petitioner from 31.12.2010 the date of retirement to till the date of settlement of the terminal benefits to the petitioner by following the order passed in W.A. (MD) Nos. 383 to 457 of 2015 dated 12.06.2015.

For Petitioner
in all W.Ps. :Mr.V.S.Jagadeesan

For Respondents :Mr.R.Venkatesh,
in all W.Ps. Government Advocate for R1
Mr.P.Kannan Kumar for R2

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 1.1.2017.

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

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

To

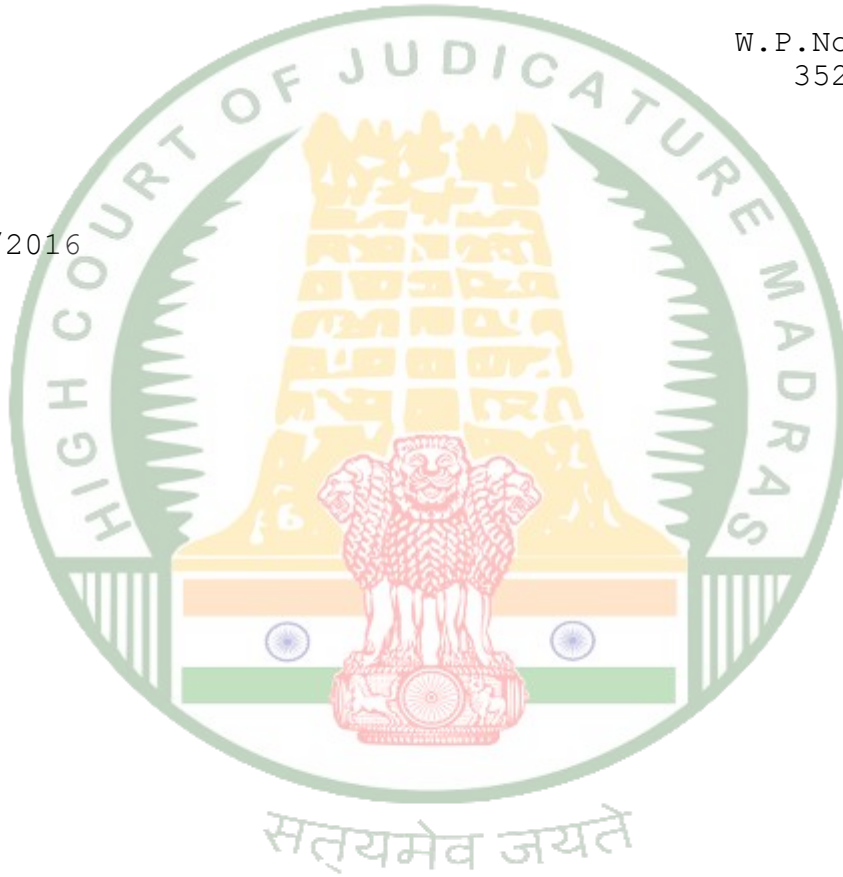
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4 The Managing Director
Tamil Nadu State Transport Corporation (CBE) Ltd
Head Office, No.37, Mettupalayam Road
Coimbatore 641 043

+3cc to Mr.P.Kannankumar, Advocate Sr.58120
+4cc to Mr.V.S.Jagadeesan, Advocate Sr.57262
+1cc to the Government Pleader Sr.57527

W.P.Nos.35222 to
35225 of 2016

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srg 15/11/2016



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