

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.Nos.35227 to 35230 and 35447 of 2016

N.Chinnaraj	..Petitioner W.P.No.35227 of 2016
R. Ellappan	..Petitioner W.P.No.35228 of 2016
P.R. Rajendran	..Petitioner W.P.No.35229 of 2016
N. Gunasekaran	..Petitioner W.P.No.35230 of 2016
K. Rajasekaran	..Petitioner W.P.No.35447 of 2016

Vs.

M/s.State Express Transport
Corporation Ltd
Rep. by its Managing Director
No.2, Pallavan Salai
Chennai-600 002.

..Respondent in WP.35227, 35228/2016

M/s. Metropolitan Transport
Corporation,
rep. by its Managing Director,
No.2, Pallavan Illam,
Anna Salai, Chennai 600 002. ...Respondent in WP.35229/2016,
35230/16, 35447/16

Writ petition No.35227 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondent to settle the terminal benefits of the petitioner, Surrender of earned leave 185 days and Medical Leave 23.5 days amount of Rs.1,39,000/- Difference in Dearness Allowance amount of Rs.7,899/- altogether a sum of Rs.1,46,899/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 26.09.2016.

Writ petition No.35228 of 2016: This petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, or any other writ or order or direction in the nature of writ, directing the Respondents to settle the terminal benefits of the petitioner of Surrender of earned leave 160 days and Medical Leave 8 days amount of Rs.1,48,000/-Social Security Scheme amount of Rs.31,000/- pension arrears from August 2012 amount of Rs.22,000/- and 6% interest for belated payment of

Provident Fund amount of Rs.14,400/- altogether a sum of Rs.2,15,400/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 26.09.2016.

Writ petition No.35229 of 2016: This petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, or any other writ or order or direction in the nature of writ, directing the Respondents to settle the terminal benefits of the petitioner of Surrender of earned leave 234 days and Medical Leave 47 days amount of Rs.4,50,000/-with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 26.09.2016.

Writ petition No.35230 of 2016: This petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, or any other writ or order or direction in the nature of writ, directing the Respondents to settle the terminal benefits of the petitioner of Surrender of earned leave 240 days and Medical Leave 131 days amount of Rs.4,50,000/-with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 26.09.2016.

Writ petition No.35447 of 2016: This petition filed under Article 226 of the Constitution of India, to issue a Writ of mandamus, or any other writ or order or direction in the nature of writ, directing the Respondents to settle the terminal benefits of the petitioner of Surrender of earned leave 240 days and Medical Leave 77 days amount of Rs.3,50,000/-with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 26.09.2016.

For Petitioner : Mr.D.Soundarraaj,
in all the writ petitions.
For Respondent : 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 respondent.

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 1.1.2017.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

sbi

To

1.The Managing Director
M/s.State Express Transport Corporation Ltd
No.2, Pallavan Salai
Chennai-600 002.

2. The Managing Director,
M/s. Metropolitan Transport Corporation,
No.2,Pallavan, Illam, Anna Salai, Chennai 600 002.

+ 5 ccs to Mr.D. Soundarraaj, Advocate SR.57281, 57284, 57283,
57284, 57285

W.P.Nos.35227 to 35230
and 35447 of 2016

SR(CO)
EU 4.11.16