

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos. 35258 and 35259 of 2016

D.Booshanam ... Petitioner in W.P.35258/2016

N.Chandran ... Petitioner in W.P.35259/2016

vs.

1.Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Rep. By The Managing Director
3/137, Salamedu
Veludha Reddy Post
Villupuram-605 602

2.Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Rep. By the General Manager,
Kancheepuram Region
Kancheepuram-631 552

3.Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Employees Post Retirement Welfare Fund Scheme
Rep. By The Administrator
Thiruvalluvar House, Pallavan Salai
Chennai-600 002

... Respondents
in both the W.P.s

Prayer in W.P.No.35258 of 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 including Service Gratuity, Leave salary, Dearness Allowance arrears, revised pay fixation with arrears and revised pension with arrears and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering and passing orders on the representation of the petitioner dated 21.09.2016.

Prayer in W.P.No.38536 of 2015: 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 including Service Gratuity, Leave Salary, Dearness allowance arrears, revised pay fixation with arrears and revised pension with arrears and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering and passing orders on the representation of the petitioner dated 18.04.2016.

For Petitioners : Mr.N.Ishak,
in both the WPs.

For Respondents : Mr.P.Kannan Kumar,
in both the WPs.

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, both the writ petitions are disposed of. No costs.

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

sbi

To

- 1.The Managing Director
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
3/137, Salamedu
Veludha Reddy Post
Villupuram-605 602
- 2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.,
Kancheepuram Region
Kancheepuram-631 552
- 3.The Administrator
Tamil Nadu State Transport Corporation
(Villupuram) Ltd.
Employees Post Retirement Welfare Fund Scheme
Thiruvalluvar House, Pallavan Salai
Chennai-600 002

2 cc to Mr.N. Ishak, Advocate, Sr. 57277
2 ccs to Mr.P. Kannan kumar, Advoctate, Sr. 58123

W.P.Nos.35258 and
35259 of 2016

SSI (CO)
kk 20/10