

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.35379 to 35390 of 2016

T.SETTU ... PETITIONER in WP No.35379 of 2016
(STAFF NO.PR NO.05714)

T.VENKATACHALAM ... PETITIONER in WP No.35380 of 2016
(STAFF NO.PR NO.AS00102)

P.ELUMALAI ... PETITIONER in WP No.35381 of 2016
(STAFF NO.DR40176)

D.SEKAR ... PETITIONER in WP No.35382 of 2016
(STAFF NO.CR09107)

V.RAJENDIRAN ... PETITIONER in WP No.35383 of 2016
(STAFF NO.PR.NO.13045)

V.SUNDAR ... PETITIONER in WP No.35384 of 2016
(STAFF NO.T.R.03201)

K.ANBALAGAN ... PETITIONER in WP No.35385 of 2016
(STAFF NO.DR3336)

V.KOTTAIMUTHU ... PETITIONER in WP No.35386 of 2016
(STAFF NO.SR1014)

K.KRISHNAMOORTHY ... PETITIONER in WP No.35387 of 2016
(STAFF NO.DR40358)

K.MANOCHARAN ... PETITIONER in WP No.35388 of 2016
(STAFF NO.SR1103)

R.SUBRAMANIAN ... PETITIONER in WP No.35389 of 2016
(STAFF NO.TR3835)

P.RAJARAM ... PETITIONER in WP No.35390 of 2016
(STAFF NO.DR06997)

vs.

1 THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED VAZHUTHAREDDY
VILUPURAM 605 602.

..1st RESPONDENT in WP
No.35379 to 35390 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED VELLORE REGION
VELLORE.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35379 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT
CORPORATION (VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35380 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35381 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT
CORPORATION
(VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35382 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED VELLORE REGION VELLORE

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35383 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT
CORPORATION
(VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35384 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI 2.

... 2&3 RESPONDENTS in WP No.35385 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT
CORPORATION (VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35386 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT
CORPORATION (VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35387 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35388 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35389 of 2016

2 THE GENERAL MANAGER
TAMIL NADU STATE TRANSPORT CORPORATION
(VILLUPURAM) LIMITED
THIRUVANNAMALAI REGION
THIRUVANNAMALAI.

3 THE ADMINISTRATOR
TAMIL NADU STATE TRANSPORT CORPORATION
EMPLOYEES POST RETIREMENT WELFARE FUND
SCHEME THIRUVALLUVAR HOUSE
PALLAVAN SALAI
CHENNAI 2.

..2&3 RESPONDENTS in WP No.35390 of 2016

Writ petitions filed under Article 226 of the constitution of India , praying for a writ of Mandamus;

WP No.35379 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation and Leave Encashment (Earned & Old Medical Leave), CRBS Pension, D.A. arrears, Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.07.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.35380 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation and Leave Encashment (Earned & Old Medical Leave), Yearly Leave, Surrender amount, CRBS Pension, IRT Amount, D.A. arrears, Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.10.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.35381 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, CRBS Pension, D.A. arrears, Last 11 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.05.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.35382 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Medical Leave), CRBS Pension, D.A. arrears, (2013) 5.5. Settlement Arrear, 5.5 Pension Arrear, Last 11 days Salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme,with interest at 12% per annum with effect from 01.04.2014 within the stipulated time as may be fixed by this Honourable Court

WP No.35383 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), 30 days yearly Leave Surrender amount for the years 2014 & 2015, CRBS Pension, IRT amount, Welfare fund, D.A Arrears and attendant benefits by calculating D.A. eligible as per newly implemented scheme,with interest at 12% per annum with effect from 01.07.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.35384 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), yearly Leave Surrender, CRBS Pension, IRT amount, D.A Arrears Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme,with interest at 12% per annum with effect from 01.06.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.35385 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned & Medical Leave), CRBS Pension, IRT amount, D.A Arrears (2013) 5.5 Settlement arrear, 5.5. Pension arrear, Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme,with interest at 12% per annum with effect from 01.10.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.35386 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), Yearly Leave Surrender amount for the year 2014, CRBS Pension, IRT amount, D.A Arrears (2013) 5.5 Settlement arrear, 5.5. Pension arrear, Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme,with interest at 12% per annum with effect from 01.10.2015 within the stipulated time as may be fixed by this Honourable Court

WP No.35387 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Leave Encashment (Earned & Medical Leave), IRT amount, CRBS Pension, D.A. arrears, Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme,with interest at 12%

per annum with effect from 01.07.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.35388 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, CRBS Pension, D.A. arrears, Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.03.2013 within the stipulated time as may be fixed by this Honourable Court

WP No.35389 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), Yearly Leave Surrender, CRBS Pension, IRT Amount, DA arrears, Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.06.2016 within the stipulated time as may be fixed by this Honourable Court

WP No.35390 of 2016: Directing the Respondents to disburse the payments relating to Gratuity, Pension Commutation, CRBS Pension, IRT Amount, DA arrears (2013), 5.5 Settlement arrear, 5.5. Pension arrear and Last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum with effect from 01.07.2014 within the stipulated time as may be fixed by this Honourable Court.

For Petitioner : Mr.J.Pradeep,
in all the above WPs.

For Respondents : Mr.P.Paramasivadoss
in all the above WPs.

COMMON ORDER
सत्यमेव जयते

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 IV)

//True Copy//

Sub Assistant Registrar

sbi

To

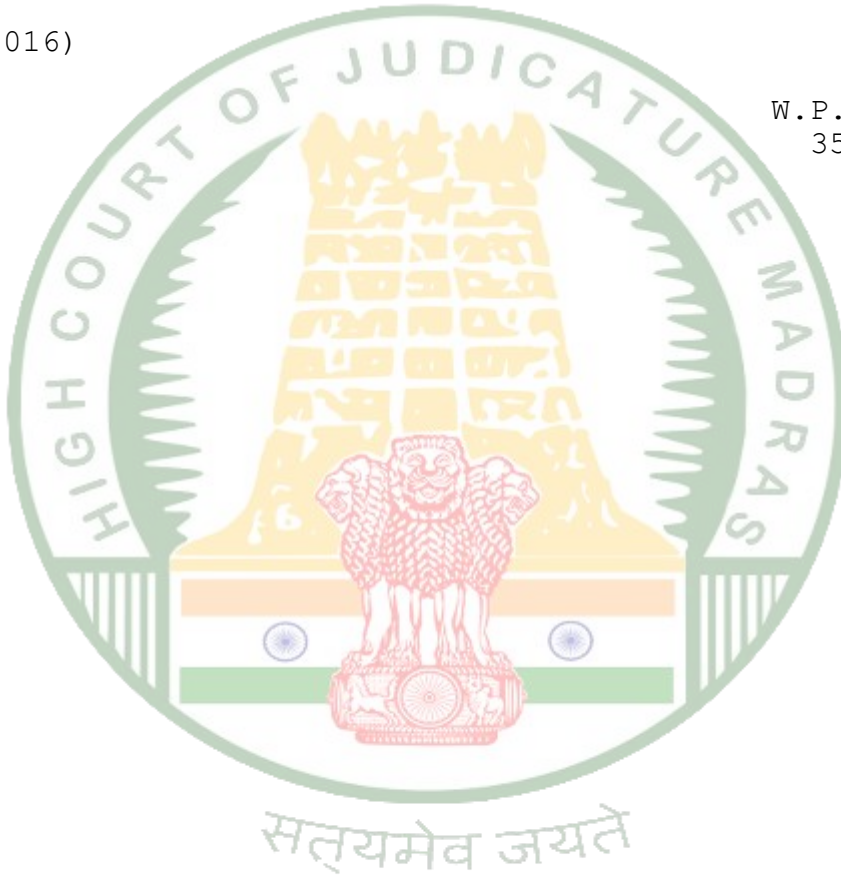
- 1.The Managing Director
Tamil Nadu State Transport
Corporation (Villupuram) Limited
Vazhuthareddy,Villupuram-605 602.
- 2.The General Manager
Tamil Nadu State Transport Corporation
(Villupuram) Limited
Vellore Region, Vellore.
3. The General Manager,
Tamil Nadu State Transport Corporation
(Villupuram) Limited.,
Tiruvannamalai Region, Tiruvannamalai.

4.The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme
Thiruvallurvar House, Pallavan Salai
Chennai-600 002

+12ccs to Mr.J. Pradeep, Advocate, S.R.No.57984

MV (CO)
EU (26/10/2016)

W.P.No.35379 to
35390 of 2016



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