

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.35452 to 35464 of 2016

K.Rajendran	..Petitioner in W.P.No.35452/2016
A. Tamil Thendral	..Petitioner in W.P.No.35453/2016
M. Madesan	..Petitioner in W.P.No.35454/2016
K. Mani	..Petitioner in W.P.No.35455/2016
C. Kannan	..Petitioner in W.P.No.35456/2016
V. Gnanasekaran	..Petitioner in W.P.No.35457/2016
B. Selvam	..Petitioner in W.P.No.35458/2016
N. Milasalam	..Petitioner in W.P.No.35459/2016
S. Masilamani	..Petitioner in W.P.No.35460/2016
S. Palanisamy	..Petitioner in W.P.No.35461/2016
D. Gnanasekaran	..Petitioner in W.P.No.35462/2016
M. Mohan	..Petitioner in W.P.No.35463/2016
C. Selvarajan	..Petitioner in W.P.No.35464/2016

Vs

- 1 The Managing Director
Tamil Nadu State Transport
Corporation (Salem) Limited
No.12 Ramakrishna Road
Salem 636007. ..1st Respondent in
WP.Nos.35452, 35453, 35454,
35456, 35457, 35458, 35459,
35460, 35461 & 35464/2016
- 2 The Managing Director
Tamil Nadu State Transport
Corporation (villupuram) Limited
Vazhuthareddy
Villupuram 605-602. ..1st Respondent in
WP.Nos.35455, 35462 and
35463/2016
- 3 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited Dharmapuri Region
Dharmapuri 636705. ..2nd Respondent in
WP.Nos.35452, 35453, 35454,
35456, 35457, 35458, 35459,
35460, 35461 and 35464/2106

- 4 The General Manager
Tamil Nadu State Transport Corporation
(villupuram) Limited
Tiruvannamalai Region
Tiruvannamalai ..2nd Respondent in
WP.35455/16
5. The General Manager,
Tamil Nadu State Transport
Corporation, (Villupuram) Ltd.,
Vellore Region, Vellore. ..2nd Respondent in WP.35462
and 35463/2106
- 6 The Administrator
Tamil Nadu State Transport
Corporation
Employees Post Retirement Welfare fund
Scheme Thiruvalluvar House
Pallavan Salai
Chennai 600002. ..3rd Respondent in
WP.Nos.35452 to 35457/2016
and 35459 to 35464/2016.

W.P.Nos.35452/16 to 35462/16 and 35464/16:

Writ petitions filed under Article 226 of the Constitution of India, to issue a writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Leave Encashment (Earned & Medical leave), Yearly leave surrender amount, IRT amount, ERBS amount, D.A. arrears and other attendant benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.8.2014, 1.1.2016, 1.5.2016, 1.9.2012, 1.8.2016, 1.8.2015, 1.3.2011, 1.6.2016, 1.6.2016, 1.2.2011, 1.7.2013, and 1.6.2016 respectively within the stipulated time as may be fixed by this Hon'ble Court.

W.P.No.35463 of 2016: Writ petition filed under Article 226 of the constitution of India to issue a writ of Mandamus directing the respondents to disburse the payments relating to Gratuity Leave surrender (Earned & Old Medical leave) ERBS pension arrears last month 10 days salary and D.A. arrears and all other retirement benefits by calculating D.A. eligible as per the fixation made by the Government of Tamilnadu periodically along with the entitled difference of dearness allowances also with interest at 12% per annum with effect from 1.7.2013 within the stipulated time as my be fixed by this Hon'ble Court.

For Petitioner : Mr.J.Pradeep
in all the writ petitions
For Respondents : Mr.P.Paramasivadoss
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 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
(Salem) Limited No.12 Ramakrishna Road
Salem 636007.
- 2 The General Manager
Tamil Nadu State Transport Corporation
(Salem) Limited Dharmapuri Region
Dharmapuri 636705.
- 3 The Administrator
Tamil Nadu State Transport Corporation
Employees post retirement welfare fund
Scheme Thiruvalluvar House Pallavan Salai
Chennai 600002.
- 4 The General Manager,
Tamil Nadu State Transport Corporation,
(Villupuram) Ltd.,
Vellore Region, Vellore.
- 5 The Managing Director
Tamil Nadu State Transport
Corporation (villupuram) Limited
Vazhuthareddy
Villupuram 605 602.
- 6 The General Manager
Tamil Nadu State Transport Corporation
(villupuram) Limited
Tiruvannamalai Region
Tiruvannamalai.

+ 13 ccs to Mr.J. Pradeep, Advocate SR.60459

W.P.Nos.35452 to
35464 of 2016

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