

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.35551 to 35552 of 2016

R.Kulandaivelu ... Petitioner in W.P.35551/2016

R.Balasubramanian ... Petitioner in W.P.35552/2016

Vs.

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
12, Ramakrishna Salai,
Salem- 636 007.

... Respondent in both W.Ps

Prayer in W.P.No.35551 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pay the retirement benefits such as the benefits of Earned and unearned leave, old medical leave benefit and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

Prayer in W.P.No.35552 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to pay the retirement benefits such as the benefits of Earned and unearned leave for 251.5 days, old medical leave benefit for 55.5 days and other retirement benefits payable to the petitioner with interest at the rate of 12% from the date of retirement.

For Petitioner in both W.Ps : Mr.A.Nagarathinam

For Respondents in all W.Ps : Mr.P.Paramasivadosh

C O M M O N O R D E R

By consent, the writ petitions are taken up for final disposal. Since the issue involved in all these petitions are related to each other, they are disposed of by a common order.

2. The writ petitions have been filed seeking Mandamus directing the respondent to settle the retirement benefits, due to the petitioners, with interest, within the time that may be stipulated by this Court.

3. The petitioners are the retired employees of the respondent Corporation and they were not paid the retirement benefits due to them, fully. Hence, the petitioners made representation to the respondents requesting to pay all the retirement benefits. But, the same have not been considered so far. Hence, left with no other alternative, the petitioners have come up with the present writ petitions for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioners and the learned counsel who take notice for the respondent.

5. 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).

6. 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 01.01.2017.

7. With the above direction, the present writ petitions are disposed of. No costs.

Sd/-
ASST. REGISTRAR

/TRUE COPY/

SUB ASST. REGISTRAR

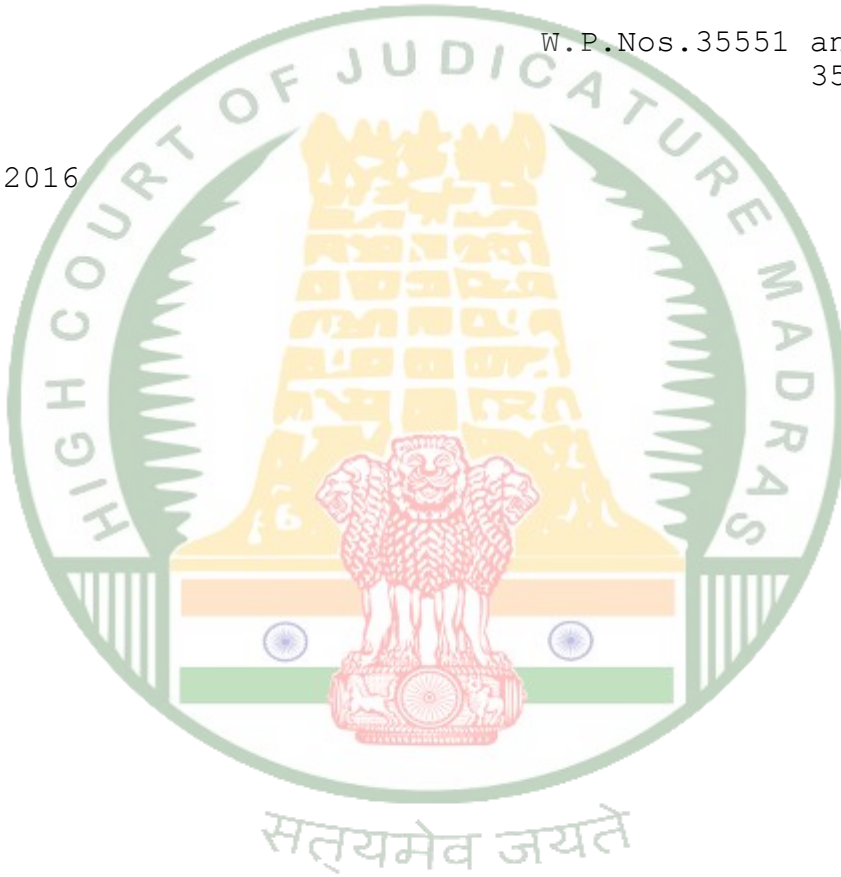
To

The Managing Director,
Tamil Nadu State Transport
Corporation (Salem) Limited,
12, Ramakrishna Salai,
Salem- 636 007.

+1 cc to M/S.A.Nagarathinam, Advocate SR.NO. 37584
+1 cc to Mr.P.Paramasivadoss, Advocate SR.NO. 58447

W.P.Nos.35551 and
35552 of 2016

KS (CO)
MMP 12.11.2016



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