

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.35945 to 35947 of 2016

S.Rajendran ... Petitioner in WP.35945/2016

K.Thirupathi ... Petitioner in WP.35946/2016

N.Paramasivam ... Petitioner in WP.35947/2016

Vs.

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 Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House,
Pallavan Salai, Chennai-2.

... Respondents in all
the Writ Petitions

Writ Petition No.35945 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, CRBS Pension, D.A. Arrears and last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum w.e.f. 01.09.2012 within stipulated time as may be fixed by this Court.

Writ Petition No.35946 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus

directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), CRBS Pension, D.A. Arrears and last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum w.e.f. 01.10.2015 within stipulated time as may be fixed by this Court.

Writ Petition No.35947 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondents to disburse the payments relating to Gratuity, Pension Commutation, Leave Encashment (Earned & Old Medical Leave), IRT Amount, CRBS Pension, D.A. Arrears and last 10 days salary and attendant benefits by calculating D.A. eligible as per newly implemented scheme, with interest at 12% per annum w.e.f. 01.06.2016 within stipulated time as may be fixed by this Court.

For Petitioner : Mr.J.Pradeep
in all the Writ Petitions
For Respondents : Mr.P.Kannan Kumar,
in all the Writ Petitions

C O M M O N O R D E R

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 01.01.2017.

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

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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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 Administrator,
Tamil Nadu State Transport Corporation,
Employees Post Retirement Welfare Fund
Scheme, Thiruvalluvar House,
Pallavan Salai, Chennai-2.

+3cc's to Mr.J.Pradeep, Advocate, S.R.No.58746

+2cc's to Mr.P.Kannan Kumar, Advocate, S.R.No.59175

W.P.Nos.35945 to 35947 of 2016

ALA(CO)

CA(26/10/2016)