

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.35995 to 36000 of 2016

P.Anbalagan	...	Petitioner	in W.P.No.35995/16
M.Pakkirisamy	...	Petitioner	in W.P.No.35996/16
S. Ramalingam	...	Petitioner	in W.P.No.35997/16
G. Ramachandran	...	Petitioner	in W.P.No.35998/16
R. Sundararajan	...	Petitioner	in W.P.No.35999/16
S. Elangovan	...	Petitioner	in W.P.No.36000/16

vs.

M/s.State Express Transport Corporation Limited
rep. by its Managing Director,
No.2, Pallavan Salai,
Chennai-600 002. Respondents in
W.P.Nos.35995, 35996, 35997,
35998 and 36000/2016

M/s. Tamilnadu state Transport
Corporation (Covai) Ltd
rep by its Managing Director
No.37 Mettupalayam Road
Coimbatore 641 043 ...Respondent in
W.P.No.35999/16

Writ petition No.35995 of 2016 has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondent to settle the terminal benefits of Provident Fund amount of Rs.5,32,222/-, Surrender of Earned Leave 231.5 days and Medical Leave 97 days amount of Rs.5,47,500/-, Social Security Scheme amount of Rs.35,000/- and Erode Engineering College and Medical College Refund Amount of Rs.4,500/- altogether a sum of Rs.11,19,222/- with interest at the rate of 6% per annum taking into consideration the representation of the petitioner dated 26.09.2016.

Writ petition No.35996 of 2016 Directing the respondents to settle the terminal benefits of Gratuity amount of Rs.9 00 000/- Commutation amount of Rs.3 50 000/- Surrender of Earned Leave 240 days and Medical Leave 87.5 days amount of Rs.5 02 166/- Social Security Scheme Amount of Rs.35 000/- and Erode Engineering College and Medical College Refund

Amount of Rs.4 500/- altogether a sum of Rs.17 91 666/- with interest at rate of 6% per annum taking into consideration of the representation of the petitioner dated 30.9.2016

Writ petition No.35997 of 2016 Directing the respondents to settle the terminal benefits of Provident Fund amount of Rs.3 60 488/- Surrender of Earned Leave 232 days and Medical Leave 47 days amount of Rs.3 81 000/- Social Security Scheme Amount of Rs.35 000/- and Erode Engineering College and Medical College Refund Amount of Rs.4 500/- altogether a sum of Rs.7 80 988/- with interest at rate of 6% per annum taking into consideration of the representation of the petitioner dated 30.9.2016

Writ petition No.35998 of 2016 Directing the respondents to settle the terminal benefits of Gratuity amount of Rs.9,00,000/- Surrender of Earned Leave 240 days and Medical Leave 96 days amount of Rs.5 15 200/- Social Security Scheme Amount of Rs.35 000/- and Erode Engineering College and Medical College Refund Amount of Rs.4 500/- altogether a sum of Rs.14 54 700/- with interest at rate of 6% per annum taking into consideration of the representation of the petitioner dated 30.9.2016

Writ petition No.35999 of 2016 Directing the respondents to settle the terminal benefits of Gratuity amount of Rs.6 43 073/- Commutation amount of Rs.2 72 225/- Surrender of Earned Leave 240 days and Medical Leave 40 days amount of Rs.3 60 563/- Social Security Scheme Amount of Rs.35 000/- and Surrender of 60 days Earned Leave and payment not made while in service amount of Rs.84 000/- altogether a sum of Rs.13 94 861/- with interest at rate of 6% per annum taking into consideration of the representation of the petitioner dated 19.9.2016

Writ petition No.36000 of 2016 Directing the respondents to settle the terminal benefits of Provident Fund amount of Rs.3 22 836/- Surrender of Earned Leave 234 days and Medical Leave 119 days amount of Rs.4 82 433/- Social Security Scheme Amount of Rs.35 000/- and Erode Engineering College and Medical College Refund Amount of Rs.4 500/- altogether a sum of Rs.8 40 269/- with interest at rate of 6% per annum taking into consideration of the representation of the petitioner dated 30.9.2016

For Petitioner : Mr.D.Soundarraaj,
in all the writ petitions

For Respondent : Mr.P.Kannan Kumar
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 respondent.

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 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.

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

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

tsi

To

1, Managing Director,
M/s.State Express Transport Corporation Limited
No.2, Pallavan Salai,
Chennai-600 002.

2. M/s. Tamilnadu state Transport
Corporation (Covai) Ltd
rep by its Managing Director
No.37 Mettupalayam Road
Coimbatore 641 043

6 ccs to M/s.D. Soundararaj, Advocate, sr. 58269, 58268,
58267, 58266, 58265

1 c to M/s.P. Kannankumar, advocate, Sr. 59173

5 ccs to /s.P. Kannankumar, advocate, Sr. 59173 (30/11/2016)

W.P.Nos.35995 to 36000/2016

RP (CO)
kk 9/11

सत्यमेव जयते

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