

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.36185 to 36187 of 2016

G.Selvaraju, Staff No.DR2664 ... Petitioner in W.P.36185/2016

K.Mohan, Staff No.62442 ... Petitioner in W.P.36186/2016

S.Swami Raj, Staff No.J01025 ... Petitioner in W.P.36187/2016

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,
Cuddalore Region,
Cuddalore.
3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002. ... Respondents in W.P.36185/2016

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,
Kancheepuram Region,
Kancheepuram.

3. The Administrator
Tamil Nadu State Transport Corporation
Employees Post Retirement Welfare Fund Scheme,
Thiruvalluvar House, Pallavan Salai,
Chennai - 600 002. ... Respondents in W.P.36186/2016
1. The Managing Director
Tamil Nadu State Transport
Corporation (Coimbatore) Limited
No.37, Mettupalayam Road,
Coimbatore - 641 043.
2. The General Manager
Tamil Nadu State Transport
Corporation (Coimbatore) Limited,
Erode Region,
Erode - 638 001. ... Respondents in W.P.36187/2016

Prayer in W.P.No.36185 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, Leave Surrender (EL & ML) and RBS amount with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 30.06.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

Prayer in W.P.No.36186 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement benefits including Gratuity, Commutation, Leave Surrender (EL & ML), IRT amount, RBS amount and Settlement arrears with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 31.05.2015 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

Prayer in W.P.No.36187 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the petitioner's retirement

benefits including Gratuity, Leave Surrender (EL & ML), Settlement arrears and RBS amount with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioner payable from the date of retirement i.e., 31.03.2013 to till date of actual payment to the petitioner within the time that may be stipulated by this Honourable Court.

For Petitioners : Mr.M.Selvam

For Respondents : Mr.S.Sairaman

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 respondents to settle the retirement benefits, due to the petitioners, with interest at the rate of not less than 18% per annum payable from the date of retirement and consequently directing the respondents to pay interest at the rate of 18% per annum for the belated settlement of retirement benefits to the petitioners payable from the date of retirement to till date of actual payment to the petitioners 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 respondent 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 respondents.

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 petitioner 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/-

Assistant Registrar(CO)

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Sub Assistant Registrar

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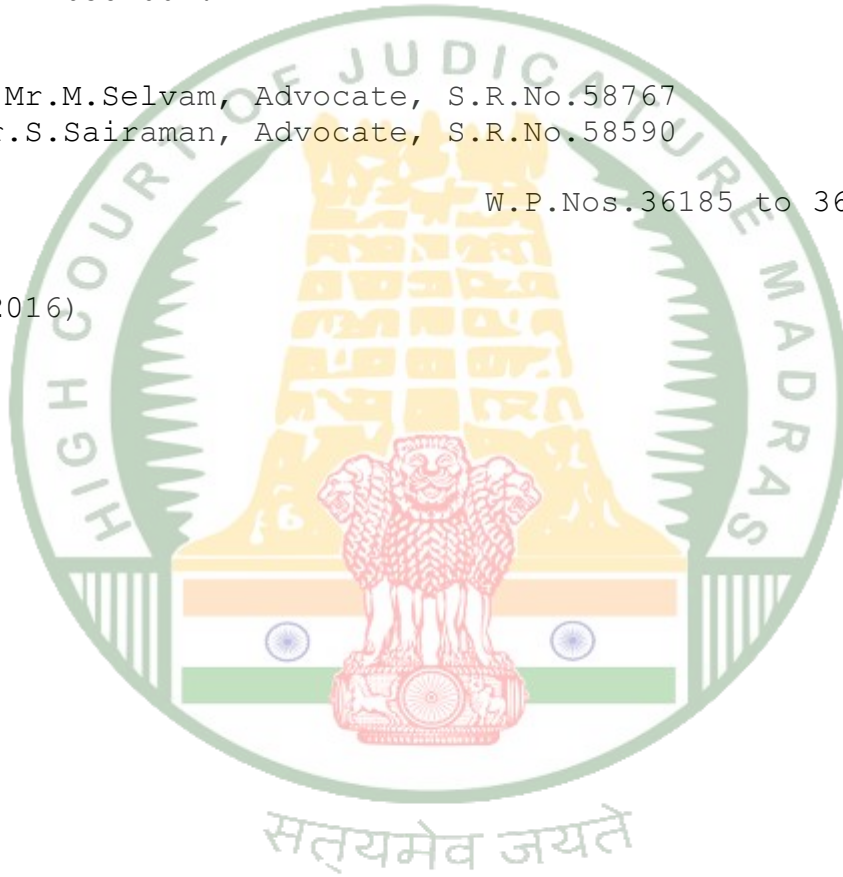
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Erode Region,
Erode - 638 001.

+3cc's to Mr.M.Selvam, Advocate, S.R.No.58767
+1cc to Mr.S.Sairaman, Advocate, S.R.No.58590

W.P.Nos.36185 to 36187 of 2016

PA(CO)
CA(17/11/2016)



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