

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition Nos.36188 to 36190 of 2016

S.Nagarajan ... Petitioner in W.P.No.36188/2016

M.Pappathi ... Petitioner in W.P.No.36189/2016

P.Jothi ... Petitioner in W.P.No.36190/2016

Vs.

1 The Managing Director
Tamil Nadu Transport Corporation Ltd
12, Ramakrishna Salai
Salem-636 007 ... Respondent in all W.Ps.

Prayer in W.P.No.36188/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to consider the petitioner's representation dated 01.10.2016 seeking Retired Monetary benefits, Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of salary amount and Dearness Allowance, Service benefits, Pension Bonus, Society Fund, Security Fund, Surrendered medical leave accrued in his credit so far in his credit in accordance with law within time fixed by this Honourable Court.

Prayer in W.P.No.36189/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to consider the petitioner's representation dated 20.09.2016 seeking Retired Monetary benefits, Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of salary amount and Dearness Allowance, Service benefits, Pension Bonus, Society Fund, Security Fund, Surrendered medical leave accrued in his credit so far in his credit in accordance with law within time fixed by this Honourable Court.

Prayer in W.P.No.36190/2016: Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to consider the petitioner's representation dated 20.06.2016 seeking Retired Monetary benefits,

Gratuity, Employee Provident Fund, Welfare Fund, 12(3) Settlement Arrears, Basic Pay, Earnest Leave Arrears of salary amount and Dearness Allowance, Service benefits, Pension, Bonus, Society Fund, Security Fund, Surrendered medical leave accrued in his credit so far in his credit in accordance with law within time fixed by this Honourable Court.

For Petitioner
in all W.Ps. : Mr.A.Ganesan

For Respondent
in all W.Ps. : Mr.P.Paramasivados

COMMON ORDER

By consent, the main writ petitions themselves are taken up for final disposal.

2. The petitioners in W.P.Nos.36188 and 36189 of 2016 and the husband of the petitioner in W.P.No.36190 of 2016, joined the services of the Transport Corporation and they retired from service long before. The grievance of the petitioners in W.P.Nos.36188 and 36189 of 2016 is that though they retired from service long before, till date, they were not paid with the retirement benefits. Further, it is the case of the petitioner in W.P.No.36190 of 2016 that her husband died on 2.5.2016 and though he retired from service on 31.1.2014, his terminal benefits were not given to her. In this regard, all the petitioners submitted representations before the respondent, 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 1.1.2017.

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

sbi

Sd/-

Assistant Registrar (J)

/TRUE COPY/

Sub-Assistant Registrar

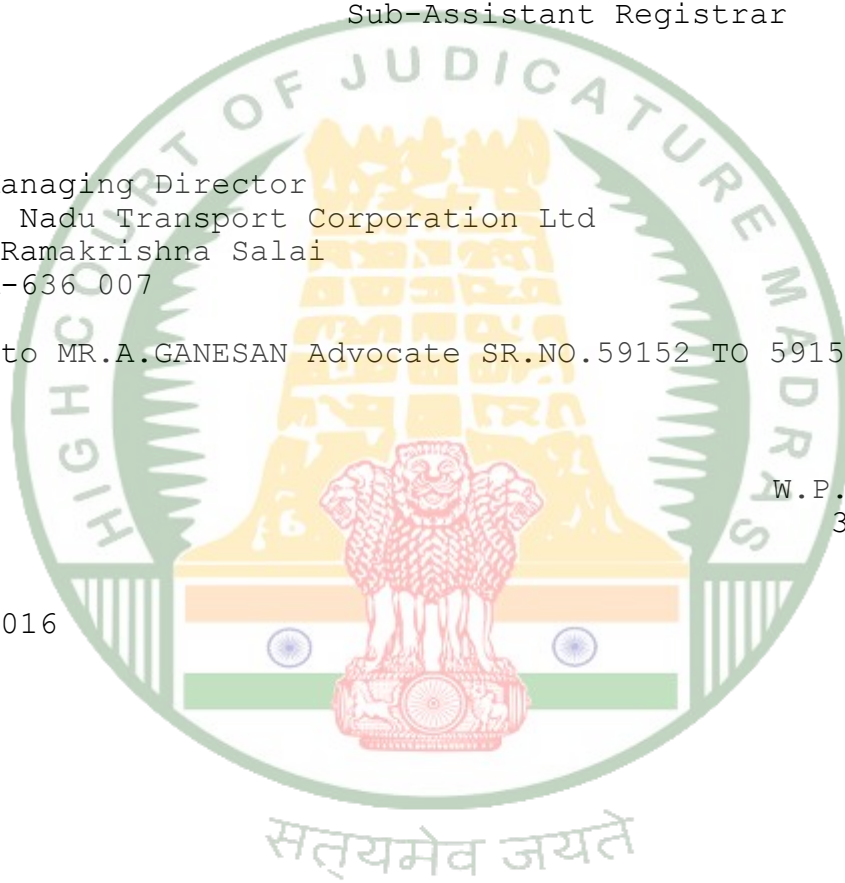
To

1 The Managing Director
Tamil Nadu Transport Corporation Ltd
12, Ramakrishna Salai
Salem-636 007

+3CC to MR.A.GANESAN Advocate SR.NO.59152 TO 59154

W.P.Nos.36188 to
36190 of 2016

GR[CO]
MK:12/11/2016



WEB COPY