

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.36191 to 36193 of 2016

R.Kumar ... Petitioner in W.P.No.36191/2016  
V.Jayachandran ... Petitioner in W.P.No.36192/2016  
L.Mohanam ... Petitioner in W.P.No.36193/2016

Vs.

- 1 The Managing Director  
Tamilnadu State Transport Corporation  
(Villupuram) Limited,  
Vazhuthareddy, Villupuram - 605 602.  
...1st Respondent in all the W.Ps.
- 2 The General Manager,  
Tamilnadu State Transport Corporation  
(Villupuram) Limited,  
Thiruvannamalai Region, T.V.Malai.  
... 2<sup>nd</sup> Respondent in W.P.No.36191/2016
- 2 The General Manager,  
Tamilnadu State Transport Corporation  
(Villupuram) Limited,  
Vellore Region, Vellore - 632 109.  
... 2<sup>nd</sup> Respondent in W.P.Nos.36192&36193/2016
- 3 The Administrator  
Tamilnadu State Transport Corporation  
Employees Post Retirement Welfare Fund Scheme,  
Thiruvalluvar House, Pallavan Salai,  
Chennai - 600 002.  
... 3<sup>rd</sup> Respondent in all the W.Ps.

Prayer in W.P.No.36191 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity, Security Deposit, Leave Salary for leave surrendered and Pension Arrears calculating as per the 12th wage settlement agreement, with new

D.A. and interest at 18% per annum with effect from 01.03.2015.

Prayer in W.P.No.36192 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to Gratuity, Security Deposit, Commutation, Leave Encashment for leave surrendered, medical leave due for 30 days and Settlement arrears calculating the same as per the 12th wage settlement with D.A. and interest at 18% per annum with effect from 01.02.2014.

Prayer in W.P.No.36193 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to disburse the payments relating to salary for 11 days due, Gratuity, Security Deposit, Commutation, Leave Encashment for 101 days of leave surrender and interest at 18% per annum with effect from 01.06.2016.

For Petitioners : Mr.T.V.Ganesh  
For Respondents : Mr.P.Kannan Kumar

#### 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, along with interest from the date of retirement.

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

//True Copy//

Sub Assistant Registrar

To

- 1 The Managing Director  
Tamilnadu State Transport Corporation  
(Villupuram) Limited,  
Vazhuthareddy, Villupuram - 605 602.
- 2 The General Manager,  
Tamilnadu State Transport Corporation  
(Villupuram) Limited,  
Thiruvannamalai Region, T.V.Malai.
- 3 The General Manager,  
Tamilnadu State Transport Corporation  
(Villupuram) Limited,  
Vellore Region, Vellore - 632 109.

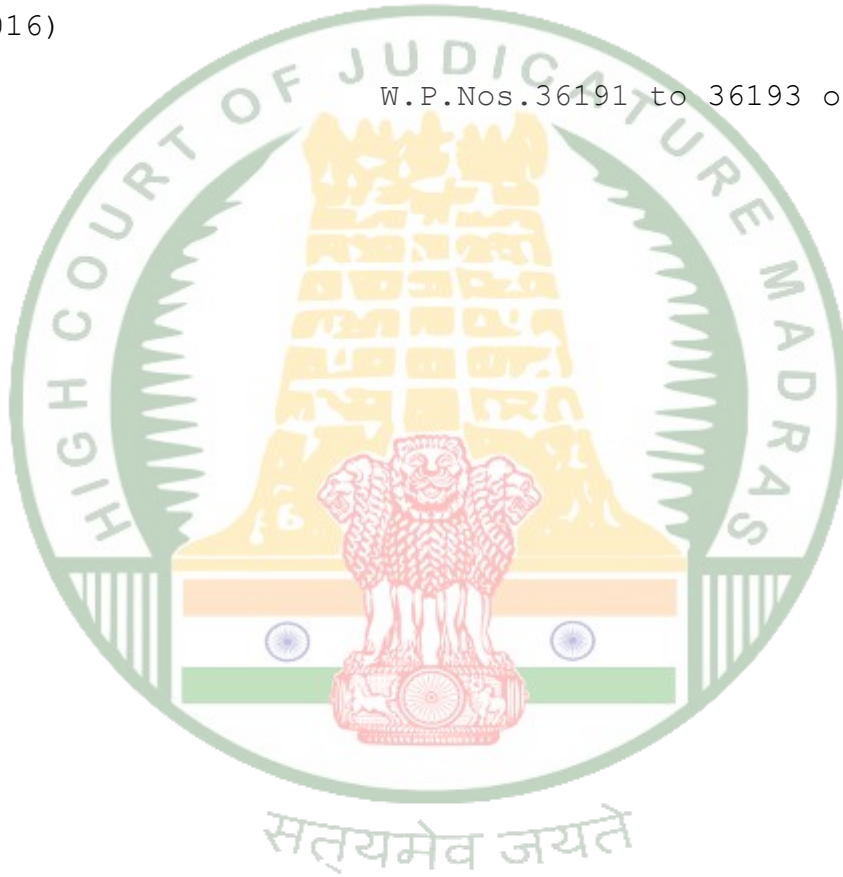
4 The Administrator  
Tamilnadu State Transport Corporation  
Employees Post Retirement Welfare Fund Scheme,  
Thiruvalluvar House, Pallavan Salai,  
Chennai - 600 002.

+3cc to Mr.T.V. Ganesh, Advocate, S.R.No.58714,58715 and 58716  
(2 cc 10/11/2016)

+2cc to Mr.P. Kannan Kumar, Advocate, S.R.No.59566

rsy(CO)  
md(4/11/2016)

W.P.Nos.36191 to 36193 of 2016



WEB COPY