

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.36225 and 36226 of 2016

V.Subban ... Petitioner in W.P.No.36225/2016

P.Richard Vaz ... Petitioner in W.P.No.36226/2016

Vs.

M/s.Tamilnadu State Transport Corporation (Kovai) Limited,
Rep. by its Managing Director,
No.47, Mettupalayam Road,
Coimbatore – 641 043. ... Respondent in W.P.No.36225/2016

M/s.Metropolitan Transport Corporation,
Rep. by its Managing Director,
No.2, Pallavan Illam,
Anna Salai,
Chennai – 600 002. ... Respondent in W.P.No.36226/2016

Prayer in W.P.No.36225 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the terminal benefits of the petitioner of Gratuity amount of Rs.4,36,335/- and Surrender of earned leave amount of Rs.1,62,513/- altogether a sum of Rs.5,98,848/- with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 09.09.2016.

Prayer in W.P.No.36226 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the terminal benefits of the petitioner of Earned Leave 240 days and Medical Leave 99 days amount of Rs.4,85,990, Erode Engineering and Perundurai Medical college amount of Rs.5,500/-, Excess income tax recovered During 2013-15 & 2014-2015 amount of Rs.5,800/- and 2013 Settlement arrears amount of Rs.35,000/- altogether a sum of Rs.5,32,290/- and to revise my salary as per the 12(3) Settlement and consequently revise the terminal benefits and pay the arrears with interest at the rate of 6% per annum taking into consideration of the representation of the petitioner dated 03.10.2016.

For Petitioners : Mr.D.Soundarraaj
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 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.

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.**

R.SUBBIAH,J.

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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.

18.10.2016

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 Index: Yes/ No
 Internet: Yes/ No

To

1. M/s. Tamilnadu State Transport Corporation (Kovai) Limited,
 Rep. by its Managing Director,
 No.47, Mettupalayam Road,
 Coimbatore – 641 043.
2. M/s. Metropolitan Transport Corporation,
 Rep. by its Managing Director,
 No.2, Pallavan Illam,
 Anna Salai,
 Chennai – 600 002.

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