

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.36451 to 36464 of 2016

1 S.ABDUL BASHEER ... PETITIONER in WP No.36451 of 2016
1 P.BALACHANDRAN ... PETITIONER in WP No.36452 of 2016
1 R.RAJENDRAN ... PETITIONER in WP No.36453 of 2016
1 S.MURUGAN ... PETITIONER in WP No.36454 of 2016
1 M.RAJ ... PETITIONER in WP No.36455 of 2016
1 V.SUNDARASAMY ... PETITIONER in WP No.36456 of 2016
1 A.SELVARAJ ... PETITIONER in WP No.36457 of 2016
1 K.RAMAKRISHNAN ... PETITIONER in WP No.36458 of 2016
1 M.KANAKARAJU ... PETITIONER in WP No.36459 of 2016
1 K.MANOHRAN ... PETITIONER in WP No.36460 of 2016
1 N.BALAKRISHNAN ... PETITIONER in WP No.36461 of 2016
1 S.PALANISAMY ... PETITIONER in WP No.36462 of 2016
1 A.MOHANKUMAR ... PETITIONER in WP No.36463 of 2016
1 V.SUBRAMANIAN ... PETITIONER in WP No.36464 of 2016

VS

1 TAMIL NADU STATE TRANSPORT
CORPORATION LTD 37 METTUPALAYAM ROAD
COIMBATORE- 641 043 REPTD. BY ITS MANAGING
DIRECTOR
... RESPONDENT in WP No.36451 to 36462 of 2016

1 TAMIL NADU STATE TRANSPORT
CORPORATION LTD 37 METTUPALAYAM ROAD
COIMBATORE- 641 043 REPTD. BY ITS MANAGING
DIRECTOR

2 THE ADMINISTRATOR
THE TAMILNADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST THIRUVALLUVAR HOUSE
PALLAVAN SALAI CHENNAI-600 002.
... RESPONDENT in WP No.36463 of 2016

1 TAMIL NADU STATE TRANSPORT
CORPORATION LTD 12 RAMAKRISHNA ROAD
SALEM-9 REPTD. BY ITS MANAGING DIRECTOR
... RESPONDENT in WP No.36464 of 2016

These Petitions are filed Under Article 226 of the Constitution of India to issue a Writ of Mandamus

WP No.36451 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36452 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36453 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36454 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36455 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36456 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36457 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Gratuity and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36458 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36459 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Provident Fund, Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36460 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36461 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Gratuity, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36462 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36463 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Gratuity, Commutation, Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

WP No.36464 of 2016

directing the Respondent to pay the petitioner all his retirement benefits including Leave Salary Amount and all other benefits with interest at the rate of 18% per annum within the time frame that may be stipulated by this Honourable court and to grant him the interest at the rate of 18% per annum for the belated settlement of his eligible benefits from the date of retirement to till the date of settlement by the respondent within the time frame that may be stipulated by this Honourable Court.

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

For Respondent in all W.Ps : 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, 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 respondents 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 takes 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(J)

//True Copy//

Sub Assistant Registrar

To

1.THE MANAGING DIRECTOR,
TAMIL NADU STATE TRANSPORT CORPORATION LTD.,
37, METTUPALAYAM ROAD,
COIMBATORE - 641 043.

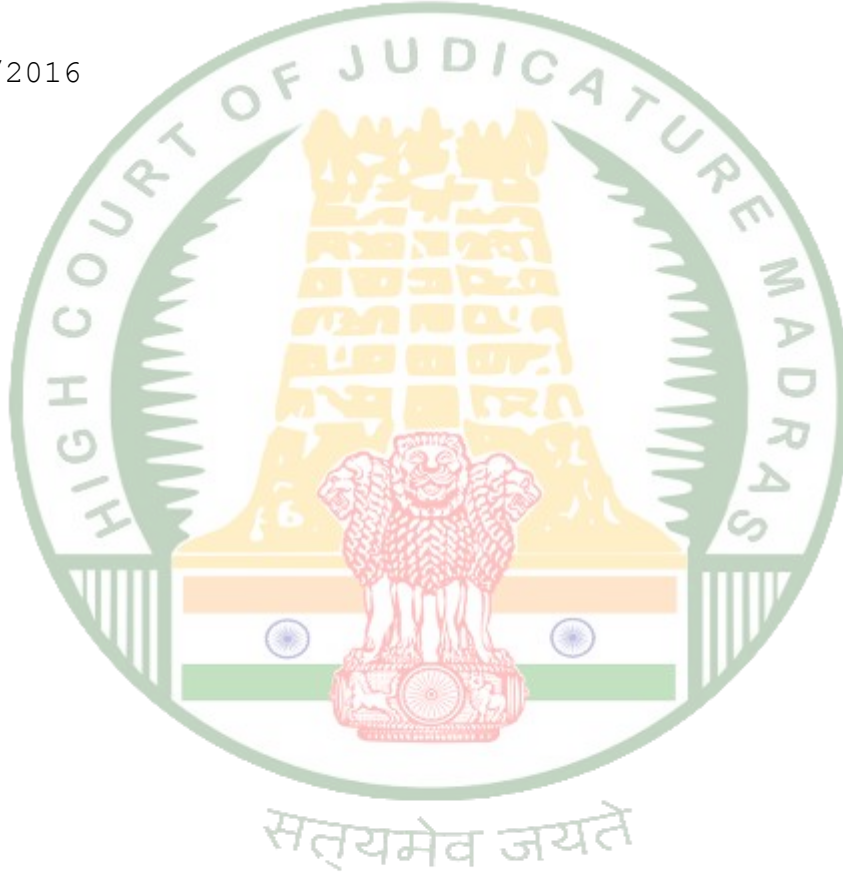
2.THE ADMINISTRATOR
THE TAMILNADU STATE TRANSPORT CORPORATION
PENSION FUND TRUST THIRUVALUVAR HOUSE
PALLAVAN SALAI CHENNAI-600 002.

3.THE MANAGING DIRECTOR
TAMIL NADU STATE TRANSPORT
CORPORATION LTD
12 RAMAKRISHNA ROAD
SALEM- 9

+14cc to Mr.A.Rajendiran, Advocate Sr.58830
+1cc to Mr.S.Sairaman, Advocate Sr.59543

W.P.Nos.36451 to 36464 of 2016

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srg 23/11/2016



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