

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.10.2016

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.Nos.36472 to 36475 of 2016

N.Rajendran ... Petitioner in W.P.36472/2016
R.Sundaramurthy ... Petitioner in W.P.36473/2016
V.Navaneetham ... Petitioner in W.P.36474/2016
K.Karthikeyan ... Petitioner in W.P.36475/2016

Vs.

1. The Principal Secretary to Government,
Transport Department,
Fort. St. George,
Chennai - 600 009. ... 1st respondent in all W.Ps
2. The Managing Director of
Tamil Nadu State Transport
Corporation (VPM) Limited,
3/137 Salamedu,
Valuthareddy - Post,
Villupuram - 605 602. ... 2nd respondent in W.Ps.36472,
36473 & 36475 of 2016
3. The Managing Director,
Metropolitan Transport Corporation(Chennai) Ltd.,
Pallavan Salai,
Chennai - 600 002. ... 2nd respondent in W.P.36474/2016
4. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002. ... Respondents in all W.Ps.

Prayer in W.P. 36472 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 to disburse the retirement benefits gratuity of Rs.8,00,000/-, earned leave surrender salary of Rs.4,00,000/-, pension commutation amount of Rs.3,20,000/-, settlement benefit arrears amount Rs.36,000/- and IRT contribution amount of rs.4500/- totally comes to Rs.15,60,500/- (Rupees Fifteen lakhs and Sixty Thousand and Five Hundred only) with 18% interest on delayed payment to the petitioner staff No.SR1033 who has retired from service on 28.02.2015 as Traffic Inspector in the 2nd respondent's office.

Prayer in W.P. 36473 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 to disburse the retirement benefits gratuity of Rs.8,68,000/-, earned leave surrender salary of Rs.1,65,000/-, pension commutation amount of Rs.3,40,000/-, pension arrears amount Rs.60,000/-, VRS scheme benefit amount Rs.11,000/- and IRT contribution amount of Rs.4500/- totally comes to Rs.14,48,500/- (Rupees Fourteen Lakhs and Forty Eight Thousand and Five Hundred only) with 18% interest on delayed payment to the petitioner staff No.SR1097 who has retired from service on 05.05.2016 as Traffic Inspector in the 2nd respondent's office.

Prayer in W.P. 36474 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 to disburse the retirement benefits , viz., earned leave surrender salary amount of Rs.4,03,360/- pension commutation amount of Rs.3,75,355/-, leave on private affairs Rs.75630/- 1998 settlement leave benefit of Rs.1,00,840/- and IRT contribution amount of Rs.4600/-, the total comes to Rs.9,59,785/- (Rupees Nine Lakhs Fifty Nine thousand Seven Hundren and Eighty Five only) with 18% interest on delayed payment to the petitioner the senior Superintendent staff No. A07012 who has retired from service on 30.04.2014.

Prayer in W.P. 36475 of 2016 : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents 2 and 3 to disburse the retirement benefits of Gratuity of Rs.6,50,000/- earned leave surrender salary of Rs.85,000/-, pension commutation amount of Rs.3,00,000/-, DA arrears amount of Rs.6000/- and IRT contribution amount of rs.4500/- totally comes to Rs.10,45,500/- (Rupees Ten lakhs and Forty Five Thousand and Five Hundred only) with 18% interest on delayed payment to the petitioner Staff No.SR1142 who has retired from service on 30.09.2015 as checking Inspector in the 2nd respondent's office.

For Petitioner in all W.Ps : Mr.D.Veerasekaran

For Respondents in all W.Ps : Mr.O.Selvam,
Government Advocate for R1
: Mr.P.Kannan Kumar,
for R2 and R3

C O M M O N O R D E R

By consent, all 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 respondents 2 and 3 are 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(CS VII)

//True Copy//

Sub Assistant Registrar

mrp

To

1. The Principal Secretary to Government,
Transport Department,
Fort. St. George,
Chennai - 600 009.
2. The Managing Director of
Tamil Nadu State Transport
Corporation (VPM) Limited,
3/137 Salamedu,
Valuthareddy - Post,
Villupuram - 605 602.
3. The Managing Director,
Metropolitan Transport Corporation
(Chennai) Ltd.,
Pallavan Salai,
Chennai - 600 002.
4. The Administrator,
Tamil Nadu State Transport Corporation,
Pension Fund Trust,
Thiruvalluvar House,
Pallavan Salai,
Chennai - 600 002.

+4cc's to Mr.D.Veerasekaran, Advocate, S.R.Nos.58890 to 58893
+1cc to Mr.P.Kannan Kumar, Advocate, S.R.No.60490
+1cc to the Government Pleader, S.R.No.59666

W.P.Nos.36472 to 36475 of 2016

CP(CO)
CA(18/11/2016)