

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.36484 & 36485 of 2016

R.Loganathan ...Petitioner in W.P.No.36484/2016

T.Gunaseelan ...Petitioner in W.P.No.36485/2016

Vs.

1. Metropolitan Transport Corporation Ltd.,  
rep. by The Managing Director,  
Pallavan House,  
Pallavan Salai, Chennai - 600 002.
2. Metropolitan Transport Corporation Ltd.,  
Rep. by The General manager,  
Pallavan House,  
Pallavan Salai, Chennai - 600 002.
3. Tamil Nadu State Transport  
Corporation (MTC) Ltd.,  
Employees Post Retirement Welfare Fund Scheme,  
Rep. by : The Administrator,  
Thiruvalluvar House, Pallavan Salai,  
Chennai 600 002. ... Respondents in both W.Ps.

Prayer in both W.Ps : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to settle the retirement benefits of leave salary, commutation value of pension that are payable to the petitioner and all other attendant retirement benefits with interest at the rate of not less than 12% per annum payable from the date of retirement within the time that may be stipulated by this Court by considering and passing orders on the representation of the petitioners dated 04.10.2016 and 30.09.2016.

For Petitioner in both W.Ps : Mr.N.Ishak  
For Respondents in both W.Ps : Mr.P.Kannan kumar

C O M M O N    O R D E R

By consent, both 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 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

//True Copy//

Sub Assistant Registrar

To

1. The Managing Director,  
Metropolitan Transport Corporation Ltd.,  
Pallavan House,  
Pallavan Salai, Chennai - 600 002.
2. The General manager,  
Metropolitan Transport Corporation Ltd.,  
Pallavan House,  
Pallavan Salai, Chennai - 600 002.
3. Tamil Nadu State Transport  
Corporation (MTC) Ltd.,  
Employees Post Retirement Welfare Fund Scheme,  
Rep. by : The Administrator,  
Thiruvalluvar House, Pallavan Salai,  
Chennai 600 002.

+2cc to Mr.N. Ishak, Advocate, S.R.Nos.58841, 58842

+3cc to Mr.P. Kannankumar, Advocate, S.R.Nos.60509

ala(CO)

md(4/11/2016)

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